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GEORGE WASHINGTON
BICENTENNIAL EDITION

THE WRITINGS OF GEORGE WASHINGTON

A

B I L L

TO

Enable His Majeſty to conclude a Peace, or Truce, with the revolted Colonies in *North America*.

Note.—*The Figures in the Margin denote the Number of the Folios in the written Copy.*

WHEREAS it is eſſential to the Intereſts, Welfare, and Proſperity, of *Great Britain*, and of the Colonies or Plantations of *New Hampſhire*, *Maſſachuſets Bay*, *Rhode Iſland*, *Connecticut*, *New York*, *New Jerſey*, *Penſylvania*, the Three Lower Counties on *Delaware*, *Maryland*, *Virginia*, *North Carolina*, *South Carolina*, and *Georgia*, in *North America*, that Peace, Intercourſe, Trade, and Commerce, ſhould be reſtored between them:

Wherefore, and for a full Manifeſtation of the earneſt Wiſh and Deſire of His Majeſty and His Parliament to put an End to the Calamities of War, Be it Enacted by the KING's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual

First Page of the Parliament's Printed Bill for Concluding Peace With the United States, 1782.

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THE WRITINGS OF

George Washington

from the

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1745–1799

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THE WRITINGS OF GEORGE WASHINGTON

THE WRITINGS OF GEORGE WASHINGTON

To MAJOR GENERAL NATHANAEL GREENE

Philadelphia, February 18, 1782.

My dear Sir: I have received your favor of the 9th. of December from the Round O, inclosing the Copy of your letter of the same date to Congress. I regret that your plan for the surprise of the post of Dorchester did not take full effect. The maneuvre was a masterly one, and, at least, answered the purpose of dislodging the enemy, which was a great point gained.

The Count de Rochambeau has transmitted me a Copy of your letter to him of the 27th. of December and a Copy of his answer. Under present circumstances, he could not do more than advance the Legion of Lauzun towards you, to be ready to support you in case of need. There are many reasons which operate against moving the whole or a detachment of the main Body of the French Army from their present position, at this moment, unless the enemy had really received such a reinforcement as would enable them again to penetrate the Country. The principal one is, that those troops will be so essentially necessary to the great operations of the Campaign, that it would be impolitic to dissipate them, or to march them in a Body either Northward or southward before we hear from Europe.

I am in hopes that a detachment of about four hundred Virginia Continental Troops are, before this, upon their march

from Cumberland Court House. I have twice written in the most express terms to Colo. Febiger to put them in motion, and Colo. Carrington tells me they were nearly ready when he left Virginia. A detachment of Armand's Cavalry will march from Charlotteville as soon as Colo. Ternant arrives there.

I approve of paying a proper regard to all intelligence received of the intentions of an enemy, and taking measures to prepare accordingly: but I am inclined to think you will find that of the Troops from Ireland premature, or, that if they do come out, it will not be so soon as you expected. A Frigate has just arrived at New York from England. She was dispatched immediately after the news of Cornwallis's surrender. I have seen the New York prints, and no mention is made of any reinforcement having sailed for America. A circumstance which, had it happened, I think would not have been omitted at this time, when the Loyalists are desponding and looking upon themselves as lost and unsupported. The reinforcement from New York, as I before acquainted you, was not more than six or seven hundred Men.

The Kings speech at the opening of the British Parliament is firm and manifests a determination to continue the War, altho' there is no appearance of his having made any Alliances. This I hope will prove to the States the necessity of complying with the requisitions upon them for Men and supplies. Every argument that I could invent, to induce them to it, has been made use of by me in two sets of Circular Letters.

No part of the intelligence brought by the Frigate has yet transpired. It is no doubt of consequence. If any alteration is to be made in the disposition of the Force remaining in America, it must soon become visible. Untill we hear from the Court of France we can only be making general preparations. Men

are the most material of all, and I cannot say that the means of obtaining them, so far as I have yet heard, are efficacious. I am etc.[1] [M.L.]

To LIEUTENANT COLONEL JOHN LAURENS

(Private)

Philadelphia, February 18, 1782.

My Dear Laurens: I have had the pleasure to receive your favor of the 10th of Decr. and also the Report of the judicious and successful Movement of General Greene, by which he compelled the Enemy to abandon their Out Posts. This brilliant manœuvre is another proof of the singular abilities, that Officer possesses.

Since my last Dispatches from So Carolina, I have been informed, via Virginia, of the intelligence Genl Greene had received that a reinforcement was expected from Ireland, of the application he had made in consequence to the Count de Rochambeau and the resolution the Count had taken, of detaching the Legion of Lauzun to his aid. I hope this force, together with the Corps of Armand, will give such a decided superiority of Cavalry, as will prevent the Enemy from re-occupying and ravaging the Country again, should the whole Reinforcement from Ireland arrive and I must confess, I cannot entirely rely upon it, as I have not heard the intelligence from any other quarter, although a Frigate has just arrived at New York with the King of England's speech, and Dispatches from Administration. Nothing however has transpired, except the Speech, from the complexion of which, no decisive Opinion can be formed.

[1] In the writing of Tench Tilghman.

But I think a little time will disclose what the Enemys intentions are, (should they still persist in the prosecution of the War) whether they mean to occupy the two great Posts of New York and Charles Town, or concentre the whole of their force together. In the former case, Reinforcements may undoubtedly be expected, and I know of nothing which can be opposed to them with such a prospect of success as the Corps you have proposed should be levied in Carolina.[2]

To make the Campaign decisive is our great object, I wish that the States might be impressed with the necessity of taking their measures accordingly, and that the war might not be procrastinated by want of exertion on our part.

Believe me, My dear Laurens, I am convinced, under all circumstances, of your unbounded zeal in the service of your Country. That success may ever attend you in the pursuit of personal glory and public felicity, is the earnest wish of Your etc.

P. S. The Gentlemen of the family request their affectionate Regards may be presented to you.[3]

To THE PRESIDENT OF CONGRESS

Philadelphia, February 18, 1782.

Sir: I do myself the honor to inclose Copies of the Reports of the Commissary General of Prisoners, who has just return'd from New York, with Copies of the papers to which he refers. Your Excellency will perceive thereby, that the restriction upon the exchange of Lieut General Earl Cornwallis operates against the liberation of Brigadier General Scot seven Colonels and two Lieut. Colonels, who, upon the principles of the Tariff

[2] A corps of Negro levies.
[3] The draft is in the writing of David Humphreys.

established between us and the enemy, are equivalent to his Lordship in value.

I also inclose the Copy of a Letter from Sir Henry Clinton, by which it would appear the exchange of the Honble. Mr. Laurens might be effected for Earl Cornwallis, should Congress think proper to accede to the proposal. I beg leave to remark upon that Letter, that there has been some misconception either on the part of Colo. Laurens or Lord Cornwallis as to what passed on the Subject in Virginia. Colo. Laurens asked me, whether, supposing an exchange could be effected between his Father and His Lordship, I should have any Objection to it, I answered none personally, and that as Congress had made no difficulty in offering General Burgoyne for Mr. Laurens, I thought they might now probably offer Lord Cornwallis; but that the matter did not depend upon me. This I find has been construed into absolute consent on my part.

With respect to the policy of prohibiting the exchange of Lord Cornwallis I will not pretend to determine, I cannot however help observing, that it operates disagreably, in giving uneasiness to those Officers of ours who can only be exchanged by composition, and who are by the Enemy set against him, and that it may be considered as a departure from the Spirit of the terms of the capitulation of York.

Mr. Sproat's[4] proposition of the Exchange of British Soldiers for American Seaman if acceeded to will immediately give the enemy a very considerable reinforcement, and will be a constant draught hereafter upon the prisoners of War in our hands. It ought also to be considered that few or none of the Naval prisoners in New York and elsewhere belong to the Continental service. I however feel for the situation of these unfortunate People and wish to see them released by any mode which will

[4]David Sproat, British commissary general for naval prisoners.

not materially affect the public good. In some former Letters upon this Subject, I have mentioned a plan by which I am certain they might be liberated nearly as fast as captured. It is by obliging the Captains of all armed Vessels both public and private to throw their prisoners into common stock under the direction of the Commissary General of Prisoners. By these means they would be taken care of and regularly applied to the exchange of those in the hands of the enemy, now the greater part are dissipated and the few that remain are applied partially. I shall be obliged to your Excellency for Obtaining and transmitting me the sentiments of Congress upon these subjects as early as convenient. I have the honor etc.[5]

To MAJOR GENERAL WILLIAM HEATH

Philadelphia, February 19, 1782.

Dear Sir: Yesterdays Post brought me your two Letters of the 8th. and 13th. Instant with a note of General Pattersons inclosed.

The operation of the resolve for allowing an extra ration to certain Officers, ceases under the new System, the inclosed regulation of the Secretary at War will shew what number of rations an Officer of every Rank is entitled to; with respect to allowing an additional Subsistence to the Officers who command on the Lines, and at Kings ferry, it does not lay with me to give any Orders on this matter, but I am of opinion, that to comply with the request would be attended with bad consequences as it would open a door to continual applications of this nature from every Officer who may be detached from his

[5] In the writing of William Stephens Smith. The letter was read in Congress on February 20 and referred to Elias Boudinot, Ezekiel Cornell, and Thomas Bee.

Corps and as to the burthen falling unequally, this may be prevented by relieving from time to time the Officers who command at such Posts.

Colo. Pickering informs me he has written for the returns of Cattle kept by the French Army, and will forward them so soon as they arrive.

As the Auditors have ceased to act, their Certificates must be dispensed with, and those of the Regimental Paymasters and Deputy Pay Mr. Genl., must be sufficient to entitle an Officer to his Discharge.

I am fully of opinion with you that a Brigade Court Martial had no right to deviate from the Law of the State, nor ought Gilchrist[6] to be discharged 'till he has served the full time prescribed by that Law.

With respect to the Rhode Island Hutts, if you are of Opinion that they will not be wanting when the recruits come in, I think the proprietor might be permitted to take them at the Appraisement, for I should suppose that a scarcity of Wood in their Environs will render them useless for any future Cantonment.

I thank you for your attention in removing the Arms to Fishkill, they were, I believe, carried on by the Secy at War and intended to be Stored in the Vicinity of West Point. I have informed General Knox of their arrival and he will give the necessary directions in that matter.

I am pleased also with what you have done respecting the laying up Magazines for the Posts in the Northern District, how so essential a provision came to be neglected in the Contract I cannot say, it was a matter I mentioned as necessary at the time the making the Contracts were forming.

[6] Charles Gilchrist, a Massachusetts soldier.

I have conferred with Mr. Morris on that part of your Letter respecting the Officers Rations and he will write you very fully on that Subject by this Opportunity.

I believe I omitted to inform you that Major Porter had not the leave of Congress to go to Europe.

Inclosed is a Resolve of Congress relative to the Massachusetts Cloathing. You will naturally suspend any distribution of it till the determination of the State can be known. with great regard etc.[7] [MS. H. S.]

To BRIGADIER GENERAL ELIAS DAYTON

Philadelphia, February 19, 1782.

Dear Sir: I received your favor of the 9th. instant in due time, accompanied by a very particular Return of the Cantonment and strength of the enemy, for which I am obliged.

I directed the relief of the whole Garrison of Wyoming upon a supposition, from the tenor of your former letter, that the Men as well as Officers were anxious to be relieved; but if you think that making a change of Officers only will answer the purpose, I shall be satisfied.

It now becomes extremely essential to us to know what advices the enemy have lately received from Europe; whether any change is to be made in the disposition of the force and whether they expect any and what reinforcements and how soon. In short, every motion ought to be minutely attended to, as from them we may form a judgment of their intentions the approaching Campaign. You will be good enough to attend to the foregoing and communicate intelligence to me as often as possible. I am etc.[8]

[7] In the writing of Benjamin Walker.
[8] The draft is in the writing of Tench Tilghman.

GENERAL ORDERS

Head Quarters, Philadelphia,
Tuesday, February 19, 1782.

Parole ———. Countersigns ———.

At a general Court Martial held at Philadelphia February the 18, 1782 by order of the Commander in Chief, William English Soldier in the New Hampshire Line was Tryed for Deserting from the New Hampshire Line re-inlisting in the Pennsy. Line, defrauding the States, and Perjury, found guilty and sentenced to suffer Death. The Commander in Chief approves the Sentence.

*To THE PRESIDENT OF CONGRESS

Philadelphia, February 20, 1782.

Sir: Since my letter to your Excellency of the 18th. Instt. I have been honored with the public and secret Resolves of Congress of the same date, the first empowering me to appoint Commissioners for the purposes therein mentioned, the last prohibiting the exchange of Lieutt. General Lord Cornwallis by composition, which is the only mode by which he can be exchanged, except for a Civil Character, we having no Military Grade answerable to his.

I find myself so exceedingly embarrassed by the operation of the Secret Resolve, that I hope Congress will excuse me for pointing out the difficulties in which it involves me personally, and the manner in which it affects, as I conceive, the public good. By the public resolve all former restrictions are taken off and I am at liberty to go into a general exchange without limitation. When it therefore shall be found that Lord Cornwallis is still detained, those Officers of ours (particularly our full

Colonels most of whom can only be exchanged on composition) who will be sufferers on that account will naturally apply to me for the reasons; I must either submit to their opinions on a conduct so apparently strange, or to justify myself must be under the necessity of betraying a secret vote of Congress.[9]

In order more clearly to point out the Manner in which the secret resolve, if adhered to, will operate against the public interest, I must beg leave to request the attention of Congress to a short recital of the reasons which induced me at this particular time to propose a meeting of Commissioners to the British Commander in Chief. On my return from Virginia the Superintendant of Finance informed me, that the Subsistence of the Prisoners of War had now become so serious a matter that there was an absolute necessity of endeavouring to obtain payment of the Money already due to us upon that account, and at all events to fix upon some certain and regular mode of payment for their maintenance in future. In order to effect these, he advised my making propositions to Sir Henry Clinton to appoint Commissioners not only to liquidate the Accounts of prisoners but to endeavour, by the establishment of a permanent Cartel, (a Matter which we have never yet been able to obtain) to adjust a number of points relating to the exchanges and accommodation of Prisoners and for want of which individuals, as well Subjects of the United States as those of Great Britain, are daily Suffering.

Sir Henry Clinton (after several letters had passed upon the Subject) acceeded to the proposition in the most extensive Sense. Commissioners were named, and I only waited for the

[9]The resolve of Feb. 18, 1782, authorized the Commander in Chief to negotiate a general exchange of all prisoners, the settlement of subsistence accounts, and every other disputed point; but the secret resolve provided "That nothing contained in the resolution of this date . . . be construed to authorize the exchange of Lieutenant General Cornwallis by composition." (See the *Journals of the Continental Congress*, Feb. 18, and also Feb. 23, 1782.)

Authority of Congress to enable me to invest the Commissioners on our part with proper powers. This, by the public resolve of the 18th, is amply granted, but by the Subsequent Secret resolve in a manner done away. The powers of our Commissioners can only have reference to the public resolve, and whatever stipulations are entered into, will be upon a confidence, that no further obstructions will be thrown in the way. The exchange of Lord Cornwallis (as heretofore) would be one of the first things demanded, and should that be rejected, as it must be, the enemy would not only have it in their power to tax us with a breach of faith, but they might recede in turn from any part of their agreements, and it is to be feared that they would pitch upon that respecting the payment of the maintenance of their Prisoners, as it will be a weighty matter to them, and one which they can evade with less inconvenience than almost any other, as we have a very great number of theirs to Support and they few of ours. In addition to what I have said, I have only further to remark that the Gentlemen who have been named by me to execute the Commission, have objection to going upon it, except they can meet those from the British on fair and open terms. This can only be done, either by withdrawing the secret vote entirely, or by adhering publicly to the resolution of detaining Lord Cornwallis, and trying what can be effected under such circumstances. The last would remove my personal scruples (if it should not be deemed a violation of the Capitulation) but I fear, as I before mentioned, that the general interest would suffer by the Measure. We never can expect that such a Cartel as will be really beneficial to us will be acceded to while an Officer of Lord Cornwallis's high rank and Family influence is excepted, or indeed while a power is reserved or implied of being able to deprive of the right of exchange any other Officer who may hereafter, as a Prisoner of War become intitled to the advantages of a stipulation of such a nature as a Cartel.

I ever with diffidence enter into discussions of the above kind, and I am now more than commonly apprehensive that my conduct may appear reprehensible, as Congress have been pleased, upon several late applications, to adhere to their former opinions respecting Lord Cornwallis. Had I not foreseen new difficulties arising from restricting his Exchange, I should have deemed myself as inexcusable in further controverting the will of Congress, as I should have been had I remained silent when I thought my voice might have conduced to the general good. That that has been my only motive for taking up so much of your time I beg you will believe as sincerely as that I am with the utmost respect. Yr. &c.[10]

To COLONEL TIMOTHY PICKERING

Head Quarters, Philadelphia, February 21, 1782.

Sir: I have attentively considered the several matters con tained in your Letter, Returns, Estimates and Proposals of the 8th. 15th and 16th Inst.

You already have, in my Letter of the 10th. my opinion of the expediency of purchasing Ox Teams and hiring Drivers for them.

I am glad to find our prospects of Tents and Camp Equipage for the ensuing Campaign are so favourable, any deficiencies of Knapsacks, Camp Kettles &c. ought to be made up without loss of time.

By the Return of public Boats and Water Craft, I find there are upwards of 200 Batteaux either fit for use or capable of being

[10] The letter was read in Congress on February 21 and referred to Elias Boudinot, Ezekiel Cornell, and Thomas Bee. The draft, in the *Washington Papers*, is in the writing of Tench Tilghman, with several interlineations by Washington. Congress resolved (February 23) that the Commander in Chief be authorized to exchange Cornwallis for Henry Laurens, provided proper assurance was obtained that all accounts for the subsistence of British prisoners of war would be speedily settled and discharged.

repaired; as this species of Boats will probably be the most essentially necessary, it is my wish that measures may be immediately taken to compleat and keep in constant readiness for service at least two hundred of them, exclusive of those on ordinary duty, and also that two of the Gun Boats which are the best sailors may be fitted for service; what other Boats may be necessary for different services I leave to your determination, as well as the *mode* for obtaining the necessary repairs, of which I cannot pretend to be a competent Judge.

I will only suggest that an ample Provision of Oars will be necessary, of which a sufficient number for [Fifty][11] Boats ought always to be ready Muffled; and that it will be well to cast in your Mind, the Means for mounting a number of the Boats on travelling Carriages, whenever it may become necessary.

Your plan for raising a Company of Artificers for the Campaign,[12] I think is an eligible one; and also the proposal for having the heavy part of the Smith's Work done by contract, because it will be less expensive to the Public and less troublesome to the Army in the field.

The allowance of Carriages for the transportation of the Baggage of the Officers of the Army as exhibited in your Estimate, appears to me, to be both reasonable, and adequate to the purpose: but as to the question whether they shall be drawn by Horse or Ox Teams, I can only repeat what I before observed to you in conversation; that although Horse Teams would probably be most agreeable to the Officers, yet the ability of the public to provide them must be taken into consideration, and the ultimate arrangements must be made with the Superintendt of Finance. If he can afford the means of supplying Horse Teams

[11] Humphreys had written "forty," which Washington changed to "Fifty."

[12] Pickering's establishment of a company of artificers called for an organization of 42, which would cost the United States "1238⅓ dollars per month or 9906⅔ dollars for nine months."

for the whole, I shall [have no objection to][13] it; but if he should not be able to furnish Money for the purchase of the whole number wanted, it seems more necessary that the General Officers should be accommodated with Horse Teams than others, as they may frequently have occasion to make more expedition in their movements than other Officers; whereas the Baggage of the Officers of the Staff and the Line will rarely if ever be seperated from the column of Baggage, on a march, and therefore can only move at the same rate with the remainder of the Baggage which will be drawn by Ox Teams alone.

I shall certainly approve of any plan which will tend to secure the public property and promote the good of the Service; I shall consequently acquiese in the expedient you propose respecting public Horses in the possession of Officers,[14] if some measures more beneficial cannot be devised.

With regard to any alteration or augmentation of pay in the Quartr Mastr Department at this moment, I have to observe; that, after it has been the great object with Congress for a considerable time, to diminish the number of Officers in every Department of the Staff and to œconomize our affairs as much as possible it might appear extraordinary in me to take any part which would seem to thwart that system of Policy; especially, as I have not thought it expedient to interpose on a similar occasion, in one of the Departments which has been lately reformed; but if any new provision of any kind, shall be found absolutely necessary in your Department for promoting the public service, I beg you will be persuaded that I can have no objection: it

[13] Humphreys had written: "shall be pleased with it," which Washington changed as above.

[14] Pickering suggested that the officers entitled to ride be furnished with money to purchase their own horses; if this could not be done, the title in the public horses to be conveyed to the officers and their value, at an appraisement, be charged to the officers' accounts.

should be made accordingly. And in the mean time, as it appears by Col Carrington's Letter inclosed in yours, there has been nothing fixed as to the pay and Emoluments of the Quarter Mastr Department with the Southern Army, I think it highly requisite it should be done immediately; and should suppose the pay of the Depy Qr Mr with that Army ought to bear the same proportion to that of the Qr Mastr Gen, as has been established by Congress between the Depy Commy of the Southern Army and the head of that Department. I should also suppose the pay of the other Officers in the Qr Mastr Departmt serving the Southern Army ought to be the same, as that of the Officers executing the same duties with the Main Army; and that the Commandg Officer should determine if necessary the propriety of paying any extraordinary expences, incurred from local circumstances in that Department.

I wish to know what has been done to put the chain of Expresses between Williamsburg and this place upon a good footing for expediting the communication; and if any thing farther is wanting, that efficacious measures may be used for making the conveyance as certain and rapid as possible.

I cannot close this long Letter without desiring if there is any other Matter of Contingency or of permanent Arrangement within the line of your Office which requires the aid of either Money or Credit to carry it into execution; that you will lay the Estimates forthwith before the Financier, and take such other steps as to you shall seem meet for carrying the same into effect before the opening of the Campaign, which now approaches very fast and for which it behoves us to make the most ample preparations. I am &c.

P. S. I wish you to keep all the great Scows in constant repair, and as they are so convenient for transporting the Army on a

sudden emergency, I should be glad to have the number augmented if it could be done without breaking in upon other Arrangements.[15]

To PRESIDENT WILLIAM MOORE

Philadelphia, February 21, 1782.

Sir: I take the liberty of laying before your Excellency a Copy of Colo. Humptons return of the number of Recruits which were obtained for the Line of Pensilvania the beginning of this month, so few have been procured in the course of the Winter, the most favorable time for recruiting, that supposing the business will proceed upon the same scale of proportion the number by the opening of the Campaign must be very inadequate to the deficiency of the Line. I have therefore thought it my duty to make this representation to your Excellency with a request that you will lay it before the present session of Assembly in order that they may take under consideration the necessity of adopting more efficacious means for augmenting the Army than what are likely to result from Voluntary inlistments.

The late advices from abroad leave no reason to doubt but that the enemy intend to prosecute the War vigorously; tho' hard pressed by a formidable combination the resources of Great Britain are far from being exhausted, and while she has an assurance that the War will not spread in Europe, she can and will find Men to support the American War. Policy so clearly points out the necessity of bringing our reinforcements in the Field before the Enemy receive theirs, that I flatter myself the State of Pensilvania will contribute every thing in her power to so desirable an end. I have the honor etc.

[15] The draft is in the writing of David Humphreys. The words in brackets are in the writing of Washington.

P. S. Since writing the foregoing I have been favord with the sentiments of a Gentleman well acquainted with the state of Western affairs and with the intention of the Enemy upon that quarter. They have every inducement to be troublesome to us there, independant of the very considerable diversion which it will make in favor of their operations upon the Coast it will serve to establish and secure their claim to the extended limits of Canada. To bar that an offensive operation against Detroit has long been the object of my wishes but if we cannot effect that we certainly can with common exertions stand so formidably on the defensive that all the country beyond the Mountains may be protected. Could your Regiment, which is stationed at Fort Pitt be compleated that with the Virginia Regt., which I shall also press to have compleated, and the occasional force of the Country would contribute greatly to the latter plan. I mention this matter at this early period because I very clearly foresee that the Army which I shall be able to collect for the probable operations of the Campaign will not admit of Detachments.[16] [H.S.P.]

To COMTE DE ROCHAMBEAU

Philadelphia, February 21, 1782.

Sir: I have been honored with your Excellency's favr. of the 5th. instant. To which my Letters of the 9th. and 12th: of this month will have served for an answer.

In my letters of the 14th. of January and 9th. of February I requested the favor of your Excellency to negotiate the exchange of Brigadier General Lord Rawdon for Brig. Genl. Moultrie. I since find that Gentleman has been exchanged by composition for Lieut. Genl. Burgoyne. I therefore now beg leave to

[16] In the writing of Benjamin Walker.

request your Excellency to signify the same to Sir Henry Clinton and to propose the exchange of Brig. Genl. Scott of Virginia for Lord Rawdon.

I congratulate your Excellency upon the speedy and safe arrival of the Duke de Lauzun in France. I have good reason to believe that the Andromache arrived safely also, as I have answers from Spain to Letters which went by her. I have the honor etc.[17]

To COLONEL TIMOTHY PICKERING

Head Quarters, Philadelphia, February 23, 1782.

Sir: I have your favor of this day before me. Altho I am not certain the Teams will be wanted so soon as the middle of May, yet I think, all things considered, it will be expedient to make your Arrangements so as to have them either in Camp at that time, or in such a situation as that they might be brought in immediately if necessary. I am etc.[18]

To COMTE DE ROCHAMBEAU

Philadelphia, February 23, 1782.

Sir: I was yesterday honored with your Excellencys favor of the 10th. Inst. I am extremely sorry to hear of the loss of the Diligente.[19] The Chevalier Clonard appears to have done every thing that could have been expected from an active and intelligent Officer.

In a former letter I expressed my approbation of the exchange of a number of the British Convalescents left at Gloucester for those taken in the Bonetta. If the 120 sent away with Captain

[17] The draft is in the writing of Tench Tilghman.

[18] The draft is in the writing of David Humphreys.

[19] The *Diligente* was wrecked off Cape Henry. A copy of Clounard's letter to Villebrune, reporting the loss, is in the *Washington Papers* in the Library of Congress under date of Feb. 5, 1782.

Richardson are incurables, they will be of no service to the enemy, and we are rid of an incumbrance. I must request your Excellency to order a continuance of supplies to the few that will remain, and Mr. Morris will make reimbursement.

I am extremely obliged to your Excellency for your generous donation to our Hospital at Williamsburg of which I have been informed by Lt. Colo. Mentges; who at the same time acquainted me that a Bill which he had drawn upon my Paymaster General for 50 French Crowns had been protested. This matter was unknown to me, untill the Bill had been protested and returned to Virginia. I beg you will attribute this to the true cause, which was my not being acquainted with the circumstance. It shall be paid with all charges upon it to whomsoever Mr. Tarle will be pleased to give the order.

The news which your Excellency has received from St. Thomas's is true in part. The troops under the command of the Marquis de Bouillie escorted by the Fleet of Count de Grasse landed without opposition upon the Island of St. Kitts. The inhabitants capitulated, but the Garrison retired to the strong post of Brimstone Hill, against which the Marquis was throwing up Works. By a Flag of Truce, which arrived the day before yesterday from Antiqua, we are informed that there has been an action off St. Kitts, between Count de Grasse and Admiral Hood. We have no particulars, but from the complexion of the Antigua Gazette, in which the affair is mentioned, we will hope that the Count was fortunate.

Permit me to make my sincere acknowledgments to your Excellency for the honor you have done me in celebrating my Birth day.[20] You have thereby made a new addition to the Friendship and Esteem with which I have the honor etc.[21]

[20] "Tomorrow is Your Excellency's birthday anniversary, I propose to celebrate it, in a great ball which I give on that account."—*Rochambeau to Washington,* Feb. 10, 1782. Rochambeau's letter is in the *Washington Papers.*

[21] The draft is in the writing of Tench Tilghman.

To BRIGADIER GENERAL DAVID FORMAN

Head Quarters, Philadelphia, February 25, 1782.

Dear Sir: I received last Evening your favor of the 23d. and thank you for the information contained in it.

As I have made it an invariable practice not to give permission for any Citizens to go within the Enemy's Lines on private business without liberty is first obtained from the Executive of the State to which they belong I must refer the Persons mentioned in your Letter to the Civil Authority for that purpose; upon their obtaining such permission there will be no difficulty in granting Passports to pass and repass our Guards on the Lines. I am etc.

P. S. The situation of the Enemy being extremely critical, the knowledge of every movement on their part will be equally interesting to us. I need not I am persuaded, again entreat that you will give me the earliest and best communications on that subject.[22]

To THE PRESIDENT OF CONGRESS

Philadelphia, February 25, 1782.

Sir: I have received intelligence, thro' a good channel, that 19 large Transports sailed from New York, on monday last, for Charles Town; My Informant adds, common Report says that they are only to call at Charles Town, and proceed to Europe; but that it is the opinion of the more Informed that those Transports are sent for the purpose of bringing the Troops off, and that Charles Town will be evacuated. He mentions also as a corroborating circumstance to this opinion, that the Enemy are building Barracks in New York.

[22] The draft is in the writing of David Humphreys.

Another Correspondent informs, "that the Fleet sailed under convoy of the Rotterdam and one Frigate, and he makes no doubt it is destined for Charles Town."

I thought it proper to communicate this information just as I have received it, and have the honor etc.[23]

To BRIGADIER GENERAL ELIAS DAYTON

Philadelphia, February 26, 1782.

Sir: At the request of Sir Henry Clinton I have promised an escort to a sum of Money which he is to send out for the use of the prisoners of War at Philada. and other places. The Officers having charge of it will apply to you upon their arrival at Elizabeth Town, upon which you will furnish a Guard commanded by a sensible spirited Subaltern, who is to accompany them to Philada. Upon his arrival there and making application to the secretary at War he will be relieved. The nature of the service points out the line of conduct which the Officer is to observe. I am &c.[24]

To ABRAHAM SKINNER

Philadelphia, February 26, 1782.

Sir: The 15th. of next Month is appointed for the meeting of the Commissioners at Elizabeth Town, by which time you will prepare such papers and matters as may depend upon you.

Upon your arrival at Elizabeth Town, you will secure quarters, not only for our Commissioners but for the British, and as it is possible that Admiral Digby may send Commissioners also, it will be well to have a House held in reserve for such a contingency.

[23] In the writing of David Humphreys.
[24] The draft is in the writing of Tench Tilghman.

You will immediately forward the letters herewith for sir Henry Clinton, Admiral Digby and Genl. Knyphausen. I am &c.[25]

To REAR ADMIRAL ROBERT DIGBY

Philadelphia, February 26, 1782.

Sir: I do myself the honor to inform your Excellency that Brigadier General Knox and Gouverneur Morris Esquire are to meet Brigadier General O'Harra and Colo. Abercrombie.[26] at Elizabeth Town on the 15th. of next Month for the purpose of settling all matters relating to the subsistence exchange and treatment of prisoners of War. As I am authorized to enter into a negociation respecting Naval as well as Land Prisoners, I have to propose to your Excellency either to give powers to the two Gentlemen above mentioned or to appoint others to treat with my Commissioners on such matters as relate to the Marine. I have the honor etc.[25]

To SIR HENRY CLINTON

Philadelphia, February 26, 1782.

Sir: I have been honored with your Excellency's letters of the 10th. and 11th. instants. I inclose a passport for the Gentleman in the Quarter Master's department who you propose sending with Money for the British and German Prisoners of War at Lancaster &ca. I have left a blank for his name which you will be pleased to fill up. I have no objection to the person for whom the former passport was granted remaining at Lancaster, and other places in the neighbourhood for the purposes you mention, he subjecting himself to a parole of a proper nature.

[25] The draft is in the writing of Tench Tilghman.

[26] Brig. Gen. Charles O'Hara and Lieut. Col. Robert Abercromby (Abercrombie).

I shall direct Colo. Dayton to furnish an Escort upon the arrival of your Officers at Elizabeth Town, and their application to him.

Upon being favored with the usual descriptions of the Vessels, which you propose sending into the Delaware and Chesapeake with Cloathing and other necessaries for the prisoners of War, passports shall be transmitted to you,[27] and directions shall be lodged at the places of debarkation, to permit the Goods to be transported from thence by land to the places of their destination.

I have appointed the meeting of our respective Commissioners to be at Elizabeth Town on the 15th. of next Month. If I hear nothing further from your Excellency I shall take it for granted that you accede to the time and place. And I would propose, as is usual in such cases, that a cessation of Hostilities should take place, during the meeting from Amboy to Newark, both included.

As my Commissioners will go fully authorized to treat of the Exchanges of Lord Cornwallis and the Honble. Mr. Laurens, I have no occasion to be particular in my answer to your Excellency's letter on that subject, I shall only observe that I apprehend Lord Cornwallis misunderstood Colo. Laurens in the conversation they had upon that matter in Virginia. I could never have given an assurance that His Lordship should be exchanged for Mr. Laurens, the Father of the Colonel, as I had no authority to make any such stipulation. I have the honor etc.[28]

[27] See Washington's letter to Sir Henry Clinton, Mar. 14, 1782, *post*.

[28] The draft is in the writing of Tench Tilghman.

Accompanying this draft (in the *Washington Papers*) is the draft of a passport, also in Tilghman's writing, for a British officer to proceed from New York to Philadelphia, Lancaster, and such other places at which the British and German prisoners of war are confined, with money for the use and relief of said prisoners. "Upon his arrival at Philada. he is to report himself to the secretary at War from whom he will take directions for the prosecution of his Route and will conform to such restrictions as he may think proper to impose upon him."

To BARON VON KNYPHAUSEN

Philadelphia, February 26, 1782.

Sir: I have been honored with your Excellency's favors of the 23d. of November and 21st. of January last. I beg you will be persuaded that there were particular reasons which operated against permitting an Officer to come to Philada. with money for the Hessians prisoners of War there at the time the request was first made. I now inclose a passport, which may be filled up with the name of any other Officer but that of Lieut. Sobbe. The last time that Gentleman was sent upon business of a similar nature there was a difference between him and some of the people here, which is the reason of my objecting to him at present.

As an Officer will be sent out by Sir Henry Clinton with Money for the prisoners of War at their different places of Cantonment, I would recommend it to your Excellency to direct the Gentleman who will be appointed by you to come at the same time. I shall order an escort from Elizabeth Town and he will therefore travel perfectly safe. I have the honor etc.[29]

To THE SUPERINTENDENT OF FINANCE

[Philadelphia, February 28, 1782.]

Sir: I do myself the honor to inclose Capt. Van Heers Estimates of the sums in his opinion sufficient to recruit, mount and accoutre his Corps. Agreeable to your desire I applied the beginning of this month to the President and Council for an advance of a sum of Money for recruiting, upon this principle, that as the Men would be raised in the state and considered as

[29] The draft is in the writing of Tench Tilghman.

A draft of the passport accompanying this letter is in the *Washington Papers*. It is similar to the passport sent to Sir Henry Clinton. (See Washington's letter to Sir Henry Clinton, Feb. 26, 1782, *ante*.)

part of its Quota, It appeared to me but reasonable that the State should furnish Money for the purpose. I recd. for answer that Colo. Humpton was recruiting Men for the State at large and that I might at any time, if I thought proper, draft the number of Men requisite to fill Capt. Van Heers Corps, from the line. This would in fact be doing nothing; it would only increase one Corps at the expence of another.

The duty of Capt. Van Herrs Corps is so essential that I wish to see it reestablished by the opening of the Campaign, and I for that reason request that such assistance may be given him as you can afford and as early as possible. I have the honor etc.[30]

To MAJOR GENERAL WILLIAM HEATH

Philadelphia, February 28, 1782.

Dear Sir: At the request of the superintendant of Finance, I beg leave to make you acquainted with the mode by which he proposes to furnish the Officers with a supply of Cloathing, and with the reason which induced him to adopt that mode. These you will be pleased to communicate to the Officers under your particular command as you may find Opportunities, in order to remove any misapprehensions which may have arisen, upon a hasty or partial view of the matter.

Had the valuable Store Ship the Marquis de la Fayette, arrived safe from France, we should have had it in our power to have supplied the Officers with the necessary Articles of Cloathing out of the public Magazine, but she unfortunately miscarried. The Financier upon being informed of this, and knowing the distress of the greater part of the Officers, who had now no right to place any further dependance upon their States; they being called upon for a sum equal to the whole expences of the

[30] The draft is in the writing of Tench Tilghman.

War, immediately set about devising a plan, by which he could afford relief to their wants, without involving himself deeper in those difficulties with which he is perplexed by the Scantiness of public funds.

Upon enquiry he found Gentlemen of extensive commercial Credit (Mess. Sands & Co) willing to Supply a quantity of Goods proper for the Army at their places of Cantonment upon a Credit of Six Months, and upon as low terms as they could be procured else where. He therefore fixed upon the measure which is now about to be adopted, that of giving each Officer a Note for a certain Sum payable in Six Months, which the owners of the Goods will receive in payment. But there is no obligation upon any Officer to take these Notes or after he has rece'd them, to purchase Cloathing of Mr. Sands; should he have supplied himself before hand, he may Keep them 'till the time of payment, which will be punctually complied with, he may discount them, or he may lay them out in any Kind of Stores for the Campaign; the great object was to procure a Supply of Cloathing of which the bulk of the Officers were undoubtedly in want. Mr. Morris very prudently foresaw that the end would not be answerd except a person could be procured who would engage to furnish a quantity of Goods and to take the promissory Notes at their full Value. In this I flatter myself he has succeeded, as I am informed by those Gentlemen who have taken up Goods from Mr. Sands, that they have been perfectly satisfied with his prices.

It is to be hoped, if the states comply in any degree with the requisitions upon them, that we shall be able to put both Officers and Men upon as good and regular a footing for pay, as they are now for Cloathing and provision, to which it was certainly wise first to attend. The new Taxes cannot be expected to come into use for some time, and therefore the kind of Anticipation which the Financier has hit upon was a matter of

necessity, not of choice, and as such I hope it will be received by the Gentlemen of the Army, who will be certainly benefitted by it, with great regard I am &c.[31] [MS. H. S.]

To LIEUTENANT COLONEL RICHARD VARICK

Head Quarters, Philadelphia, February 28, 1782.

Dear Sir: I have been duly favored with your Letter of the 19th. Inst. I have written to Major Genl Heath to apply to you for the Certified Copy of the Determination of a Board of Officers, respecting the Challenges made against some of the Members of the Court Martial appointed for the trial of General Arnold. You will be pleased to make out the Copy of that or any other Official decision on that subject and transmit the same to General Heath.

The Board of General Officers was held at Middle Brook the spring of 1779.

General Mcdougal calls for a certified Copy of the Council of War held at Mrs. McGowan's on the 12th. Septr. 1776.[32] Be pleased to make it out and deliver it to him. I am etc.

P. S. Since writing the above I have recd your favor of the 21st Feby. and will cause an enquiry to be made respecting the Minutes of the Councils of War you Mention.[33]

To GOVERNOR BENJAMIN HARRISON

Philadelphia, February 28, 1782.

Sir: I have been honored with Your Excellencys favor of the 8th of February, since the receipt of which, letters of a later date from Colo Febiger and Lt Colo Posey have come to hand.

[31] In the writing of Benjamin Walker.

[32] See footnotes in vol. 6, pp. 27 and 46.

[33] The draft is in the writing of David Humphreys and Tench Tilghman. The P. S., in the writing of Humphreys, is written on Varick's letter to Washington dated February 21.

From their reports, (notwithstanding the imprudent steps which had been taken) I am glad to learn, the Officers who had signed the representation were convinced of, and sorry for, the impropriety and unguardedness of the expressions contained in it; and that the Detachment, having received a partial supply of necessaries, was on the point of marching. This, I am persuaded has been done, without the interposition of force to compel them to it. It would have given me the most sensible pain, to have heard there was occasion for such an application to the Count De Rochambeau, as such a measure would have impressed our Allies with very disadvantageous ideas of us, afforded our Enemies an opportunity of making unfavorable suggestions, and possibly, might have been productive of very ill consequences, on other accounts.

I have reason to expect, that, as ample and permanent provision (as our circumstances can admit) will be made respecting the Staff departments at the Southward, before Colo Carrington departs from this place. The arrangement is now in agitation between the Quarter Master General, the Minister of Finance, and the Deputy Quarter Master Colo Carrington, who I trust will be able to give you a satisfactory account, at his return.

The present circumstances are such as render it inexpedient, to order the Virginia Troops stationed at Pittsburg, from thence; that Garrison will not bear a diminution without endangering the loss of the Post, and the devastation of the Frontier in consequence. There can be no probability that the Virginia Troops will be incorporated with the Regiment of Pensylvania. And Your Excellency will recollect, that it is inconsistent with the establishment of the Army, to make the Men belonging to one State, count as part of the quota of another, in consequence of any reformation, or new arrangement of Corps, whatever. I have the honor etc.[34] [N.Y.P.L.]

[34] In the writing of George Augustine Washington.

GENERAL ORDERS

Head Quarters, Philadelphia,
Thursday, February 28, 1782.

Parole ———. Countersigns ———.

At a general Court Martial held in Philadelphia January 29, 1782, whereof Col Nichola is President, Colonel Daniel Brodhead of the first Pennsylvania Regiment was Tryed on the following Charges viz. first for various specious and unwarrantable attempts on the life, liberty and property of the good people of this Country, highly oppressive and injurious to individuals and detrimental to the common weal, by rendering what is most valuable to free men uncertain and precarious. Second for creating a Monopoly in Trade and Countenancing the savages for private and interested purposes. Third. For forming a Jobbing connection with the Assistant Quart. Master Mr. David Duncan while he, Colonel Brodhead was possessed of public Money. Fourth, for withholding a sum of public Money drawn to the direct and sole use of the eighth Pennsylvania Regiment and for, not accounting and Settling with the Auditor for said sum of Money after application made for that purpose by Advertisment of the 25 June 1779. Fifth for mis-applying and not Appropriating public Money to the purposes intended. Sixth for Sheltering from punishment a most Notorious public delinquent and oppressing and injuring honest inocent and industrious men from Motives equally designing and interested. Seventh, for not attending to the good order and Discipline of the Troops under his Command nor to their Comfort or accomodation, nor puting the Garrison into a state of defence, but allowing it to continue in a ruinous untenable and un Military state, tho a number of Artificers were long employed in the Department at high Wages and a large allowance

of Provisions; eighth, for neglecting to cover the Frontiers with small Detachments Cantoned in the Country, while a Number of the soldiers have been improperly employed in the Quarter Masters Department and others unnecessarily retained at his Quarters.

The Court after maturely considering the Charges, evidence and Defence do not find Colonel Brodhead guilty of any attempts on the liberty and property of the good people of the Country near Fort Pitt, and therefore do acquit him of the first charge. They likewise acquit him of the 2d and 3d charges, as to the fourth charge, it does not appear to the Court that Colonel Brodhead was possessed of any public Money for the use of the soldiers of the eighth Pennsylvania Regiment; nor that he could Settle his accounts with the Auditor in consequence of the advertisement, being unprovided with some vouchers left by him on this side the Mountain, and the Auditors not furnished with the account of the sums to be charged him, Therefore do acquit him of the fourth Charge, with respect to the fifth charge it appears to the Court that Colonel Brodhead received a sum of public Money for the recruiting Service, part of which he applyed to the purpose of Supplying the Garrison with Provisions, in which the Court think him Justifiable and acquit him of the fifth charge. The Court are further of Opinion that Colonel Brodhead is not guilty of the sixth, seventh and eighth Charges. Therefore are of Opinion that the Prosecution is malicious and groundless and acquit Colo. Brodhead with the highest honor.

The Commander in Chief approves the foregoing opinion of the Court and discharges Colonel Brodhead from his arrest.

The Court whereof Colonel Lewis Nichola is president is dissolved.

GENERAL ORDERS

Head Quarters, Philadelphia, Friday, March 1, 1782.

Parole ———. Countersigns ———.

The Commander in Chief is pleased to Pardon William English, a soldier belonging to the New Hampshire Line now under sentence of Death for Desertion, and orders him to be released from Confinement.

At a Brigade General Court Martial held at the Hutts near Morris Town Feb. 14. Ult. by order of Colonel Elias Dayton, of which Lieut. Colonel Barber is President, James Furry, Soldier in the 2d Jersey Regiment was Tryed, charged with Desertion to the Enemy, The Court find him guilty of Desertion which is a breach of the 1 Article 6 section of the Articles of War and after mature deliberation sentence the said James Fury to suffer Death by Hanging (more than two thirds of the Court Martial agreeing thereto. The Commander in Chief approves the sentence of the Court.

To MAJOR GENERAL NATHANAEL GREENE

Philadelphia, March 1, 1782.

Dear Sir: I am requested by the Superintendant of Finance to make you acquainted with a mode which he has fallen upon to supply the Officers with Cloathing and to explain to you the reasons why it will operate upon the Officers under your command in a manner different from what it will upon those to the Northward.

Our dependance for Officers Cloathing was upon a quantity expected in the ship Marquis de la Fayette from France, but she having unfortunately miscarried, it became necessary to devise other means, as the Officers could not, as formerly, look up to

their respective States, they having been called upon by Congress for a sum adequate to the whole expences of the War.

The Financier, unprovided with present Funds, was obliged to seek means of anticipating the Taxes which he might expect to receive in the course of the year. He therefore sought for and found Gentlemen willing to supply the necessary quantity of Goods upon a credit of six months, which were to be delivered at the different places of Cantonment. And in order to enable the Officers to take up and pay for them he gave each Subaltern a Note equal to three Months of his pay and to each Captain and all others of superior rank a note equal to two Months pay, payable in six Months. These Notes the owners of the Goods are to take at their full Value. But there is no obligation upon any Officer to receive them, or after he has taken them to lay them out with the public Agent. Should he have already provided himself with Cloathing, he may keep his Note, or dispose of it in any manner he may think proper. The foregoing relates to the Officers in the Northern Army.

The Financier proposes furnishing the Officers under your Command with Notes of similar nature, but no Goods will be sent to the southward, as by your information, subsequent to having sent off Majr. Burnet, you had had an opportunity of providing a Quantity sufficient for the supply of your Officers.

As the Notes will be most punctually paid in 6 Months after their date, I would wish you to recommend to the Officers who accept of them, not to part with them but at their real value. Any persons wanting to make remittances to the Northward ought gladly to purchase them up; and those Gentlemen who have connections at this place or at Baltimore may lodge them with their Friends and Order down the specie or any kind of Clothing or Stores. It is possible, but of that I cannot give an

assurance, that specie may be sent to the southward to redeem these Notes at the stipulated time.

I have been thus full upon the subject that the Officers under your command may know that they are put upon the same footing with the Officers in this Quarter, and that measures would have been taken to have sent Goods from hence, had not you, as I have before mentioned, informed the Financier that you had luckily procured a supply upon or near the spot. I am &c.[35]

To BRIGADIER GENERAL ELIAS DAYTON

Head Quarters, Philadelphia, March 1, 1782.

Sir: I have received your Letter of the 22d of Febry enclosing the Proceedings of a Court Martial on James Fury, a Soldier of the 2nd Regt of Jersey, who is sentenced to Death for desertion. I have approved the sentence, without appointing the time for his Execution; should it upon further consideration, be deemed necessary that an example of this kind should be made at the present time, and that the person now under sentence is a proper subject for such an example, you will be pleased to signify the same to me and a Warrant will be made out accordingly; otherwise the punishment may still be remitted.

I had heard thro another channel of the sailing of the Fleet you mention, but am not perfectly satisfied with regard to the supposed object of it, should that be ascertained, or any other movement take place, I shall be glad to be advised thereof as soon as may be, and also whether there is any truth in the Report that Barracks are building in New York and preparations making for the reception of Troops, which would be a strong circumstance to corroborate the opinion that the Fleet is

[35] The draft is in the writing of Tench Tilghman.

destined to CharlesTown. If the fact is so (that is respecting the preparations) it must be a matter of such public Notoriety, as cannot escape the most cursory or superficial observation. I am etc.[36]

To LIEUTENANT COLONEL FRANCIS MENTGES

Philadelphia, March 1, 1782.

Sir: I have to acknowledge the recet. of your two Letters of 26 Dr. and 9th feby. and to thank you for your care and attention to the Hospital Department. I am sorry that you have had so many difficulties to Struggle with in the execution of that duty, they were the unavoidable consequences of the deranged state of our affairs in that State.

It was entirely owing to my being unacquainted with your having drawn on the Paymaster Genl. that your Bill was protested. I have given orders for its being paid and have acquainted Count Rochambeau therewith.

A small supply of Cloathing is ordered on to you, but should it not arrive before the Hospital is broke up you will take the proper measures to have it Sent on to the Southward.

From your last letter I should suppose the number of Sick at this time to be very small and if the Hospital could be entirely broke up it would be a pleasing circumstance. Those Convalescents who belong to the Northward might be sent by water to the Head of Elk and those of Virginia to the Genl Rendezvous at Cumberland old Court House.

I cannot say I approve of furloughing the Sick when it can possibly be avoided, in general it is so many men lost to the Service for few of them Join their Corps when recovered. I am &c.[37]

[36] The draft is in the writing of David Humphreys.
[37] The draft is in the writing of Benjamin Walker.

To COLONEL CHRISTIAN FEBIGER

Philadelphia, March 2, 1782.

Sir: I have recd. your favor of the 10th. ult. and am happy to find that the Officers had been sensible of the impropriety of the manner and stile of their representation and that the detachment had marched to the southward.[38]

From the situation in which matters were, I cannot blame you for the prompt execution of Hawkins.[39] The necessity of the case, especially in military concerns, must often justify what is in fact an irregular mode of proceeding.

Lt. Colo. Carrington is now here, making arrangements for the regular support of the Quarter Masters department in the state of Virginia and will be down before another detachment can be ready to march; you will therefore I hope have no further difficulties upon that score; And I shall direct the Cloathier General to have three or four hundred suits of Cloathes dropped at the place of General Rendezvous in Virginia, to equip the Recruits as they may come in. The supply can be occasionally kept up. The Cloathing will go to the care of you or whoever may be the superintending Continental Officer and it must on no account be issued but for Continental use.

I wish it were in my power to give you and the Officers remaining in Virginia any immediate hope of Money. The superintendant of Finance is making every effort so to arrange the affairs of his department that he may make regular payments to the whole Army. In order to this he is obliged totally to suspend, for the present, all partial payments. His dependance is upon the compliance of the states with the requisitions of Congress, and the moment they furnish him, either with Money or

[38] At this point the draft has the following crossed out: "Necessity must sometimes justify going somewhat out of the regular line of proceeding."

[39] Joseph Hawkins, a mulatto soldier in Major Posey's department.

Money's worth he will commence his payments. We have long struggled with difficulties which seemed almost insurmountable, but I am confident if the Officers will have patience to wait for the operations of the systems which have lately been introduced, that they will no longer have the same reasons of Complaint, that they have formerly had.

You will let me hear from time to time what success you have in recruiting. I am &c.[40]

To MAJOR GENERAL ALEXANDER McDOUGALL

Head Quarters, Philadelphia, March 2, 1782.

Sir: I received yesterday your Letters of the 8th and 9th of Feby. and have duly noticed the contents of them.

Altho the first Orders for holding the Court Martial for your trial directed the Court to assemble at West Point, yet by an after Order of the same day (which, I am informed was regularly transmitted from the Orderly Office) permission was given for it, to be holden at West Point, or some convenient place in its vicinity. This was done solely for the greater convenience of all concerned; and I hoped the spirit of accommodating one another, would have prevailed so far as to have prevented any trouble on that account.

I have written to General Heath to cause Copies of such Returns and Official Papers to be furnished to you, as may be necessary in the course of the trial; by this means the difficulties on that head will be obviated.

It would be a matter of great concern to me, that a practice should prevail of publishing to the World the opinions which are given in Councils of War, as I have always considered the transactions on such occasions to be, under the inviolable

[40] The draft is in the writing of Tench Tilghman.

sanction of secrecy and honor; however if you judge a Copy of the Minutes of the Council of War, which was held on the 12th of Septr 1776 essential to your defence, I shall comply with your request; and have given directions to Colonel Varick my Recording Secretary, for that purpose. I am etc.

P. S. I have recd your Letter of the 24 of Feby.[41]

To COLONEL JAMES WOOD

Philadelphia, March 2, 1782.

Sir: I have to reply to your favor of the 2nd feby. With respect to the proposition of the Prisoners, tho' in some instances it might be attended with advantage yet if once the precedent is established the applications of that nature will [it is to be feared] become general and [that] the far greatest part of them would have no other intention but to return to the Enemy especially the British; besides, tho' from the present appearance of things we are not likely to want them as objects of Exchange, the events of War are uncertain and it would not be proper to put them intirely out of our power, however a very good judgment may be formed of the inclinations of many of them and such as fully evince a desire of remaining in the Country may be distinguished from the rest and kept with us till the last [for I only want to have something evincive.][42]

To LIEUTENANT JOHN McDONALD[43]

Philadelphia, March 2, 1782.

Sir: I have received your favor of the 25th feby requesting permission to go to Maryland on a Visit. It will always give me

[41] The draft is in the writing of David Humphreys.

[42] The remainder of this draft is missing. It is in the writing of Benjamin Walker; the words in brackets are in the writing of Washington.

[43] Of the Eightieth Foot, British Army.

pleasure to grant every possible indulgence to Gentlemen in your situation that can be granted with propriety and I am extremely sorry the request you now make cannot be considered of that nature. I am &c.[44]

To THE ASSISTANT SECRETARY OF WAR[45]

Head Quarters, Philadelphia, March 2, 1782.

Sir: The inclosed petition in behalf of Ezekiel Addams, an Orphan, whose Parents both died in the public Service, in my opinion merits attention. Being convinced of the truth of the Facts set forth in the sd Petition, from Genl Moultrie's Certificate and other enquiries that have been made, I cannot help[46] recommending that measures may be taken for furnishing at the public expence, a support for the Orphan abovemention'd agreeably to the tenor of the Petition. I am etc.[47]

To PHILIP SCHUYLER

[Philadelphia, March 4, 1782.]

Dear Sir: I have recd. your favor of the 16th. ulto. and am extremely obliged by the pains you have taken to ascertain the matter respecting the Vessels said to be in the Ice in Lake Champlain. The season is so far advanced without hearing any thing further of the thing, that I imagine it will be too late to make an attempt upon them, supposing they had been caught in the Ice in the course of the Winter: But that no time may be lost, should you, upon the return of the scout, think the measure still practicable, I have written to General Heath to

[44] The draft is in the writing of Benjamin Walker.
[45] Maj. William Jackson.
[46] At this point the word "strongly" is crossed out.
[47] The draft is in the writing of David Humphreys.

furnish a proper party upon your application, equipped as you shall direct.

Congress have come to some determination upon the Affair of Vermont. I have not seen the Resolve, but from what I hear, it will not be agreeable to the people of the Grants. I am very apprehensive that we shall experience trouble in that Quarter in the course of the approaching Campaign. I am &c.[48]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Philadelphia, March 4, 1782.

Dear Sir: Your favor of the 20th. Inst with the several inclosures has been duly received.

I cannot but hope your decision respecting the soldiers under sentence for desertion will be attended with beneficial consequences.

It is a fortunate circumstance that the Troops will be recovered from the small Pox at so early a period as will afford time for establishing Discipline and making preparations for the Field before the opening of the Campaign; not a moment should be lost in having the recruits drilled and instructed in their duty as soon as they arrive and in having the Corps as much collected and as perfectly disciplined as the state of the Service will admit. The former discouragements and difficulties arising from the want of Cloathing I flatter myself will be removed and a new Stimulus will therefore be given to the ambition of both Officers and Men. I wish it may also be impressed on them that the Regiments being now on an equality with respect to the Articles received of the public; whatever difference of appearance there shall be discoverd in different Corps, must be owing to the superior attention of the Officers and Emulation of the Men,

[48] The draft is in the writing of Tench Tilghman.

in those Regts. which shall be found to make the most Soldier-line appearance; and cannot fail to attract the notice and applause of their Generals, as well as gain that just preference in the eyes of their Allies which must be extremely flattering to them as Military Men.

To a determination on the objections which Major General McDougall has made to the President and three of the Members of the Court Martial appointed for his Trial, recourse must be had to the *precedent* established on a similar occasion in the trial of General Arnold in which the validity of Challenges is ascertained. You will be pleased therefore to apply to my recording Secretary Colo Varick, in whose possession I believe the original Paper is for a Copy of it that the present dispute may be decided upon the principles there laid down. I inclosed a line to Colo Varick for that purpose. I am etc.

P. S. I wish you to furnish Genl McDougall with the Copies of such Returns and Official papers as may be necessary in the Course of his Trial.

Your letter of the 24th is just come to hand.[49] [MS. H. S.]

To MAJOR GENERAL WILLIAM HEATH

Philadelphia, March 4, 1782.

Dear Sir: Upon an intimation that the Enemy's Vessels had been caught in the Ice at Lake Champlain in returning to St. John's last Fall, General Schuyler sent a scout of Indians to ascertain the fact, and I had determined, had they returned in time with a favorable report, to have attempted the destruction of the Vessels. Not having yet heard any thing more of the matter, I have little doubt but it will be too late to make the

[49] In the writing of Benjamin Walker.

attempt, supposing the situation to have been as represented. But as I would wish not to have missed an opportunity of striking a stroke so very detrimental to the Enemy, I have desired General Schuyler to communicate his information to you, and if the thing should be deemed yet practicable to make you acquainted with the strength of the party necessary for such an operation and with the manner in which it ought to be equipped. You will give the Officer such instructions as shall be concerted between General Schuyler and yourself. I am &c.[50]

[MS.H.S.]

GENERAL ORDERS

Head Quarters, Philadelphia, Monday, March 4, 1782.

Parole ———. Countersigns ———.

Four Subalterns and one surgeon from the Pennsylvania Line are immediately to proceed to Fort Pitt to replace a like number of Officers of that line who were left out by the late Arrangement of the Army.

To COLONEL TIMOTHY PICKERING

Head Quarters, Philadelphia, March 4, 1782.

Sir: In reply to your Letter of yesterday I have to observe; altho I am not so particularly acquainted with the different uses and conveniencies of different kinds of Water Craft, as to able to judge with accuracy of their respective utility from my own knowledge; yet from the reasons you have given, I am induced to believe that the advantage of Pettiaugers over Batteaux and Flat-bottomed Boats, in certain services will more than counterbalance the difference of expence, and that it would

[50] In the writing of George Augustine Washington.

be expedient for them to be made use of in the manner you propose, at West Point and Kings Ferry.

I am also of opinion, that all things considered, it will be a saving to the public in the end; to raise a Company of Watermen, for the purposes you suggest, to be employed under the care of an active, faithful, and skilful Superintendant, who shall be immediately responsible for the preservation and repair of the Boats in Ordinary use as well as others. That measure will therefore meet the approbation of Sir Your etc.[51]

To MAJOR DE GENTON DE VILLEFRANCHE[52]

Philadelphia, March 4, 1782.

Sir: I am favored with your Letter of the 24 feby. inclosing the Several plans therein mentioned and I beg you to accept my thanks for your Services in constructing the Several Works on the Mohawk River.

Your representation respecting your Rank and claim of promotion is also come to hand. I am very sensible of the Zeal, professional knowledge and Activity you have shewn during your Services in this Country and should be happy in contributing to your advancement; but it is a matter in which I have not in the least interfered those Gentlemen of your Corps who have obtained promotion owe it intirely to their good fortune in having assisted at a successful Operation and to the representations which were made to Congress by General Du Portail in consequence thereof.

That you had not the good fortune to share in that success was not your fault; nor can the Minister of France or any other

[51] The draft is in the writing of David Humphreys.

[52] Jean Louis Ambroise de Genton, Chevalier de Villefranche, major of Continental Engineers.

person on that account take up any Idea injurious to your reputation as an Officer. Your Character in the Army will always command such Testimonials as will not only remove every such Idea but will in France give that just Value to your Services which they Merit. I am &c.[53]

To CAPTAIN PIERRE CHARLES L'ENFANT

Philadelphia, March 4, 1782.

Sir: I have been favord with a Letter from you of the 18th feby. I am sensible how disagreeable it is to have an inferior Officer promoted over your head, and am sorry it is not in my power to remedy it. The promotion of Major Rochefontaine was a matter in which I had not the least interference, it took place solely on the recommendation of General Duportail, who I believe represented to Congress, that it was the practise of all Nations after a successful Seige, to promote the Engineers who had contributed to the Success.

Your Zeal and active Services are such as reflect the highest honor on yourself and are extremely pleasing to me and I have no doubt they will have their due weight with Congress in any future promotion in your Corps. I am etc.[54]

To THE SUPERINTENDENT OF FINANCE

Philadelphia, March 4, 1782.

Sir: Well knowing the difficulties in which you are involved it ever gives me pain to make application to you on the score of Money. But as I cannot give the Baron Steuben an answer without knowing whether it will be in your power to comply

[53] The draft is in the writing of Benjamin Walker.

[54] In the writing of Benjamin Walker, in the *Papers of the Continental Congress*, no. 78, XIV, fol. 535. The draft, which is also in the writing of Walker, is dated March 1.

with the terms he asks, I am under the necessity of inclosing his letter to me on the subject of the arrearages of his Pay.[55] I am etc.[56]

CERTIFICATE TO CAPTAIN ALLEN McLANE

Philadelphia, March 5, 1782.

Captain Mc. Lane having informed me that he and some of the Officers who acted under him have had suits brought against them for the seizure of Horses and sundry Articles of provision near the lines of the Enemy while they had possession of this City. I think it but Justice as well as my duty to declare that from the Month of November 1777 untill the evacuation of this City in June following Capt. McLane commanded a Body of Light Troops upon the Lines and that his Orders particularly were to stop all improper intercourse between the City and Country and to seize supplies of every kind going from the Country to the City; in doing which, I was not only authorised by the usage and custom of War but by virtue of Resolves of Congress passed specially for that purpose. And I do further certify that to the best of my knowledge Capt. McLane made no improper use of the powers with which he was vested but confined his seizures intirely to the objects of his Commission.

[N.Y.H.S.]

*CIRCULAR TO THE EASTERN AND MIDDLE STATES[57]

Philadelphia, March 5, 1782.

Sir: The operations of next Campaign being contingent, depending in a great degree upon measures which are not within

[55] Steuben's letter of February 28, praying Washington to support, with his recommendation, his claim for the pay due him, is in the *Washington Papers*.

[56] The draft is in the writing of Tench Tilghman.

[57] New Hampshire to Maryland, inclusive.

my controul, and very much upon the plans of the Enemy and their efforts to carry them into execution, it is impossible for me, at this time, to say whether any, or how many Militia the States in this part of the Continent may be called upon [to furnish] for the purposes of the Ensuing Campaign: but as I persuade myself it is the wish of every one of them to see a vigorous offensive plan prosecuted with a view of terminating the War honorably and speedily; it becomes my duty to [inform them] that, the Continental force [(admitting the Battalions should be compleated)] aided by any auxiliary Troops that I have any expectations of, [is] totally inadequate to the first and great object which presents itself to our view; and therefore it may be essential to my future plans that the Executive powers of the States should be, if they are not so already, vested with sufficient [authority][58] to call forth, properly equipped, such a body of Militia as the exigencies of Service may require; the demand will not be made but in case of necessity, and will be [postponed][59] as long as possible; the consequences therefore of a want of such powers, or of [the] delay, occasioned by calling an Assembly, [on such an emergency,] might prove fatal to our operations, and injurious to our Cause.

I need not add how much it is my wish and desire, and how much the public interest will be promoted by it, that the Continental Regiments should be compleated, every man, of which these are deficient, will add to the draught of Militia, and doubly to the public expences; [while these Troops] will not be so competent to the purposes for which they are wanted, to say nothing of the disadvantages which Agriculture and Manufactures will sustain by [having] the labourers and Artisans [called off] from their Work.[60] I would beg leave to suggest

[58] Washington wrote "powers," which Humphreys changed to "authority."
[59] Washington wrote "protracted," which Humphreys changed to "postponed."
[60] Washington wrote "by calling off the labourers and Artisans from their Work," which Humphreys changed as above.

that the longer term Militia can be drawn out for the more benificial and less expensive will their Services be [and that in case of a seige, they ought to be engaged during the continuance of it, or untill relieved by an equal number, so that the operating strength may not be diminished at a critical moment when it may be most wanted].[61]

FOR PENSYLVA. ONLY

In the course of last year, when an operation against New York was in contemplation, I took the liberty of applying to the State of Pensylvania for a Corps of Riflemen; then believing, and afterwards (at the seige of York) proving, the vast utility of them. I am induced thus early to renew my application on this head, that in case the State should be called upon for Militia, at least 300, properly Officered, may be of the Class of Riflemn.[62]

To BRIGADIER GENERAL DAVID FORMAN

Philadelphia, March 7, 1782.

Dear Sir: Your favor of the 5th Inst has just come to hand. Exclusive of the objection I have, to the establishment of a precedent, for granting Passports to Citizens, without the interference of the Civil Authority of the States to which they belong, I think, the circumstance of my deviating from a fixed Rule, might in the present instance, be an occasion of suspicion to the Enemy and frustrate the ends you have in view. I cannot therefore consider it adviseable or consistent with the line of conduct I have adopted, to grant the Passport in question, but I have

[61] Washington wrote: "At any rate it ought not to be less than two Months from the time they join the Army," which Humphreys changed as above.

[62] The letters sent varied in minor verbal details from the above autograph draft. That to Governor Trumbull, of Connecticut, in the writing of David Humphreys, has the following P. S.: "I have the honor to receive your Excellencys Letter of the 21st Febry 1782."

written to Governor Livingston on the subject, and doubt not if there are no particular reasons of policy operating against it, that the business will now be put in an easy and proper train of execution.[63] I am etc.[64]

To GOVERNOR WILLIAM LIVINGSTON

Philadelphia, March 7, 1782.

Sir: General Forman has applied to me for permission for Mrs. Provost to go into New York, in search of some property she has there, taking with her some person whom he would chuse, and from whom he makes no doubt of obtaining some very useful intelligence on his return.

As Mrs. Provoost and the Gentleman intended to go with her are both Citizens of New Jersey and as the ostensible reason of their going in is of a civil nature I have referred General Forman to your Excellency for the permission he requests, and if there are no particular reasons against your granting it, I think from what I know of General Formans Character he will make it subservient to our Interest.[65] I have the honor etc.[66]

To THE SECRETARY AT WAR

Head Quarters, Philadelphia, March 7, 1782.

Sir: The alteration which has lately been made in the system of the Inspectors Department, having left the Department of the Adjutant General, which was blended with it, in a vague and

[63] Forman's application was for a passport for "Mrs. Provoorst" to go into New York City. She was to be accompanied by a gentleman through whom Forman expected to obtain valuable information and who would also "Establish a line of intelligence."

[64] The draft is in the writing of David Humphreys.

[65] Livingston wrote to Washington (Mar. 8, 1782): "I have received your Excellency's Favour of yesterday, in consequence of it I forwarded to General Forman by the same Express the passports requested." Livingston's letter is in the *Washington Papers*.

[66] The draft is in the writing of Benjamin Walker

deranged state, it has become necessary that some new regulations and appointments should be made; for this purpose, I wish the enclosed Plan, may thro' the channel of the War Office, be proposed for the consideration of Congress, and that a determination may be obtained as speedily as possible; because many of the Officers now doing duty in that Department, are acting in consequence of their former appointment, without being comprehended, at this time, in any establishment whatever, which if continued, may be very prejudicial to the Service. I am etc.[67]

INSTRUCTIONS TO BRIGADIER GENERAL WILLIAM IRVINE

Head Quarters, Philadelphia, March 8, 1782.

Sir: You will proceed with all convenient dispatch to Fort Pitt, the object of your command, and you will take such measures for the security of that post and for the defence of the Western Frontier as your Continental Force combined with the Militia of the neighbouring Country will admit of. Under present appearances and circumstances, I cannot promise any further addition to your regular force, than a proportion of Recruits for the Virginia and Pensilvania Regiments which are already upon the Western Station, consequently offensive Operations, except upon a small scale, cannot just now be brought into contemplation. You may however still continue to keep yourself informed of the situation of Detroit and the strength of the Enemy at that place.[68]

With respect to the subject of the Letters which you have lately received from Colonel Gibson, I can only repeat what I have said to you personally: You must endeavour to convince

[67] The draft is in the writing of David Humphreys.

[68] In a very brief note, dated March 7, Washington ordered Lieuetnant Colonel Wuibert to Fort Pitt to take orders from Irvine. The draft of this note is in the *Washington Papers*.

both Officers and Men, that measures are actually taking to put them upon such a footing with regard to their provisions, Cloathing and pay, that it is to be hoped they will e're long have no reason to Complain. They will have already found the difference between the past and the present mode of obtaining Provisions and Cloaths, and they cannot therefore doubt, that the only remaining difficulty, which is on account of Pay, will be removed as soon as the Financier can reap the advantages of the Taxes for the current Year, which are but just laid and cannot therefore come yet into use. The Officers and Men must on a moments reflection be convinced of the Wisdom of applying the public Money in hand, to procuring Victuals and Cloaths, they cannot be dispensed with even for a day, and when both are assured that, Certificates of pay due to the first of the present Year, will be given with Interest, and that pay thenceforward will be more regular, and as frequent as the public Treasury will admit, they ought to be satisfied.

Should the Troops composing the Western Garrisons be discontented with their situation and think that they are partially dealt by, you may make them an offer of being relieved and of taking their chance of the emoluments which they may suppose accrue to those serving with either the Northern or Southern Armies, there may be policy in this offer, because, if I am not mistaken, most of the Men who have connections in the upper Country would rather remain there at some disadvantage than be brought away from their families.

You will make such arrangements, as shall comport with the above Instructions, and the strictest principles of œconomy with General Knox and the Quarter Master General respecting Military and other Stores necessary for the posts under your Orders and will I am persuaded use every means in your power to prevent any waste or embezzlement of them.[69] [H.S.P.]

[69] In the writing of Benjamin Walker.

*To THOMAS BEE[70]

Philadelphia, March 8, 1782.

Sir: I have given the Resolves herewith inclosed,[71] all the consideration I am capable of. The first is warranted by the usage and custom of other Services. But whether the adoption of it at this time may not carry with it an appearance of instability in our public Councils, and how far it will be productive of discontent, and future representation to Congress, is more than I can undertake to determine not having heard the Sentiments of the Army upon it. With respect to the Second, I entertain the same opinion of the matter now, that I ever have done, which is, that Generals Knox and Duportail standing, in my judgment, upon the same ground (with this difference, that the public was infinitely more indebted to the first than the last) ought to have shared the same fate; and I am clearly of opinion, for reasons wch. I had the honor of detailing to you yesterday, that the promotion of Genl. Knox singly, will involve fewer disagreeable consequences than any other method which I have yet heard proposed; for perswaded I am, that, no Officer (Senior to himself) as well acquainted as I am with his extraordinary exertions to prepare, without proper means, the Siege Artillery for last Campaign, the dispatch with wch. he transported it, and his uncommon assiduity and good management of it at York, would think his promotion an improper reward, or any reflection upon his merit.[72] If extraordinary exertions do not meet with particular attention, their is no stimulus to action, and an Officer has little more to do than to steer clear of Courts Martial.

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[70] Delegate to the Continental Congress from South Carolina.

[71] No copy of these proposed resolves is now found in the *Washington Papers*.

[72] Knox was promoted to major general by a resolve of Congress of Mar. 22, 1782, to rank as such from Nov. 15, 1781.

On the propriety of the third Resolve, I have nothing to add in this place, because I have already taken the liberty of communicating my sentiments to Congress thereon. With great esteem and respect etc.

GENERAL ORDERS

Head Quarters, Philadelphia,
Sunday, March 10, 1782.

The Baron de Steuben will inspect the Guards at Nine oClock on Wednesday next, and the Rhode Island Regiment at eleven oClock on the same day.[73]

*To MAJOR GENERAL ROBERT HOWE

Philadelphia, March 10, 1782.

Sir: If your application is not to Congress, directly, I think it had better pass through the hands of the Secretary at War, than mine, because the[74] enquiry into your conduct was instituted in consequence of an Order of Congress and was once before the board of War; and because your coming to this place was by no order of mine, and[75] the necessity of it unknown to me. The Accts. will, no doubt, be referred to the board of treasury or Auditors for Settlement, and for such[76] information respecting the necessity of your coming to this City, and continuance in it after the Sentence of the Court was approved, as you alone can give. I am etc.

[73] The Varick Transcripts here contains the following: "NB. No General orders were issued from the above date untill the 4th. of April, 1782."

[74] The autograph draft has been altered in several places by Tench Tilghman. This first sentence as changed by him reads: "If your application is not to Congress, directly, it must be through the Secretary at War agreeable to a Resolve of Congress. The enquiry Etc."

[75] Tilghman here inserts the word "consequently."

[76] Tilghman here crossed off the words "for such" and substituted the word "the."

To GOVERNOR BENJAMIN HARRISON

Philadelphia, March 10, 1782.

Dear Sir: I sincerely sympathize with you, in the arduous task imposed upon you as first Magistrate of the State of Virginia, in consequence of the present distressed and embarrassd situation of affairs; which you so pathetically describe in your Letter of the 15th. of Feby. For it is well known from experience, that in times of War and public Calamity, whoever is engaged in the management of public affairs, must share largely in the perplexities and troubles of them, but at the same time it must be remembered, besides the gratification which results from a consciousness of having done our duty faithfully, that to struggle nobly with misfortunes, to combat difficulties with intrepidity, and finally to surmount the obstacles which opposed us, are stronger proofs of merit, and give a fairer title to reputation, than the brightest scenes of tranquility, or the sunshine of prosperity could ever have afforded.

By my Letter of the 28th of Feby you will see that measures were in agitation for supplying the Staff Departments at the Southward. The Clothier General (out of our little Stock) will send on three or four hundred Suits of Cloathing to the care of the Officer superintending the recruiting Service, for the recruits that may be raised. Such other provision as our circumstances will admit, and the Service may require, will I have no doubt be made in such a manner, as to prove that no designed system of partiallity could have influenced Congress or the Ministers of the great Departments in any of their Arrangements.

I have the honor to inclose to your Excellency the Copy of a Letter of this date from General Knox; if the State will agree to let the Public have the Cannon or the loan of them as suggested in Gen. Knoxs Letter I shall be glad to be advised of it

by the earliest conveyance that measures may be taken without loss of time for putting them in a condition for service before the opening of the Campaign. It is unnecessary, I am persuaded, to observe as an inducement for granting the use of them to the public, that similar applications to some of the Eastern States for Iron Ordnance Powder &c last Campaign were attended with success; with the highest sentiments of esteem etc.[77]

[V.S.L.]

To BRIGADIER GENERAL HENRY KNOX AND GOUVERNEUR MORRIS

Philadelphia, March 11, 1782.

Whereas a proposition was made by me on the 6th. day of December last to General Sir Henry Clinton to the following effect "That Commissioners mutually appointed should meet at such time and place as might thereafter be agreed upon for the purpose of obviating all difficulties in exchanges; for liquidating the expenses of maintaining prisoners, and for making solid arrangements for providing for them in future" which proposition was acceded to as will appear by letters from him the said General Sir Henry Clinton bearing date the 2d. and 23rd. of January last.

In order to carry the said proposition into effect and to make the most liberal, permanent and extensive provision for the exchange release and accommodation not only of prisoners of War but of Citizens who by the fortune of War may fall into the hands of either party.

You Brigadier General Henry Knox and Gouverneur Morris Esqr. are hereby appointed and authorized to meet such Commissioners as shall come duly authorized on the part of His Excellency General Sir Henry Clinton at Elizabeth Town

[77] In the writing of Benjamin Walker.

in the State of New Jersey on Friday the 15th. day of this Month or at any other time and place afterwards to which it may be thought proper to adjourn; with them to treat, confer, determine and conclude upon a Cartel or Cartels either general or special stipulating for the subsistence, safe keeping, exchanging, liberating and better treatment of all *land* prisoners of War in such manner and on such terms as you may judge expedient and beneficial to the United States: to take such measures for the liberation of Citizens who have not been captured *in Arms* as may seem expedient, or to negotiate any separate treaty concerning such Citizens for the mutual prevention of any future Captures; provided such Cartel, Cartels and agreement establish Rules for the similar treatment of Prisoners of War and Citizens captured by either power in all cases whatever. You are likewise authorized and empowered to liquidate and settle all past accounts respecting the maintenance and support of Prisoners of War or of the Prisoners under the Convention of Saratoga; and whereas numberless inconveniencies and distresses have mutually arisen and happened for want of some permanent establishment for subsisting, safe keeping and exchanging Marine Prisoners, I have by letter of the 26th. of February last proposed to His Excellency Robert Digby Esqr. at present commanding His Britannic Majestys Ships of War upon the American station, to send Commissioners at the time and to the place before mentioned properly authorised and empowered to treat, confer, determine and conclude upon a Cartel for the exchange and accommodation of all persons in the Naval Line. Should therefore Commissioners come properly authorised and empowered by him the said Robert Digby Esqr. or other senior Officer commanding His Britannic Majestys ships of War upon the American Station, you are authorised and empowered to treat, confer, determine and conclude upon,

with them, a Cartel or Agreement either general or special for the subsisting, safe keeping, and exchanging all Marine Prisoners of War; provided such Cartels or Agreements establish Rules for the similar treatment of marine Prisoners captured by either power in all cases whatever.

For all which this shall be your Warrant and your engagements being mutually interchanged shall be ratified and confirmed by me.[78]

INSTRUCTIONS TO BRIGADIER GENERAL HENRY KNOX AND GOUVERNEUR MORRIS

Philadelphia, March 11, 1782.

Gentlemen: The powers of equal date herewith authorise you to proceed to Elizabeth Town in the State of New Jersey in order to meet Commissioners on the part of the enemy on Friday the 15th inst for the purposes in the powers fully recited.

You will consider the settlement of accounts, for the subsistence of Prisoners of all descriptions from the commencement of the War, to ; obtaining payment or security for the payment of the large Balance which it is presumed was due to the United States at that period, and establishing some certain arrangements or the regular payment of the subsistence of Prisoners from that time forward as the principal objects of your Commission.

From the want of an appointment of a Commissary of Prisoners, untill some time after the commencement of the War from the variety of hands to which the charge of prisoners was committed, and from the little attention which was for a long time paid to the Sums expended for their support, I fear, it will

[78] The draft is in the writing of Tench Tilghman.

be difficult for you to collect the materials necessary to form an account sufficiently accurate to satisfy yourselves, or to gain credit with the Commissioners on the part of the enemy: And it is also probable, that the accounts, which will be produced by them, will be alike subject to many objections for want of proper Vouchers and other causes. You are therefore at liberty, if you find no probability of being able to make a regular settlement, to compound the matter, by fixing upon such a sum as shall appear to you reasonable, which sum shall, upon payment, be looked upon as a full and final discharge of all demands on the part of the U. S. from the commencement of the War to the time which you shall specify. You are then, in Order to prevent all future disputes, to determine, of what a Ration for the support of a Prisoner of War shall mutually consist; the value of that Ration not only in whole but in its component parts; what Vouchers shall be esteemed mutually valid, and obtain and give proper assurances for the regular monthly, quarterly &c. payment of the balances as they may respectively become due.

Before you proceed to the negociation of exchanges, you will pay due regard to the Resolve of Congress of the 23rd. of February last (with Copy of which you are furnished) which authorizes the exchange of Lieut. General Earl Cornwallis only, upon certain conditions therein specified. By the word *liberated,* in the Resolve referred to, it is not to be understood, that Mr. Laurens is to be given up without any equivalent; At what the enemy will rate him is uncertain. Congress once offered a Lieutenant General for him, and if the same should be demanded now and insisted upon, you are at liberty to comply. If circumstances should render the exchange of Lord Cornwallis impracticable, the respective Commissaries of prisoners may proceed to the exchange of other Officers; and if the enemy

should persist in their resolution of detaining a certain number of our Officers of Rank as a counter security to our detention of Lord Cornwallis, it may be submitted to, upon the following principle, that it will be better for four or five Gentlemen (the number who will be involved) to remain in Captivity, than the whole; amounting to considerably above one hundred.

In compliance with a Resolve of Congress of the 20th. of Decemr. last (Copy of which and some papers relating to it you have herewith) you will enter into a discussion with the British Commissioners upon the Powers and conduct of the Board of Directors to the associated Loyalists in New York, and you will endeavour to devise some means for the prevention of that kind of depredation which is complained of. On this subject you will do nothing conclusive, but report to me the substance of the measures which may have seemed to the British Commissioners and yourselves most likely to answer the end.

I recommend to your particular attention, the case of one Summers a native of Pennsylvania taken in 1778 and yet detained upon Long Island notwithstanding every reasonable offer has been made to procure his exchange; the Commy. of Prisoners can inform you fully of his situation and circumstances.

Should you enter into either a general or special Cartel you will endeavour to stipulate that, in future, Citizens not in Arms shall not be considered as subjects of Capture, but in particular cases; such as for instance, for Guides; for intelligence, and such like purposes; that they shall be well treated and discharged after the ends for which they were captured are answered.

Should the Admiral accede to my proposition of sending Commissioners to meet you on the subject of the treatment and

exchange of Marine prisoners, you will endeavour in the first place to obtain a change in the mode of keeping our seamen confined. The daily complaints of the miseries incident to confinement on board prison ships will authorise you to remonstrate warmly on that Head and to insist upon an alteration of conduct. In respect to the support and mode of payment for the subsistence of seamen you will be guided by the instruction relating to the Rations of Soldiers.

You are acquainted with the difficulties under which we labor as to the means of procuring the exchange of the American seamen who fall into the hands of the enemy. It but rarely happens that those captured by private Vessels of War are given up to the Continental Commissaries; some are taken into our service, many escape thro' negligence, and therefore it is that the Balance of Marine prisoners has been generally greatly against us. The mode proposed by Admiral Digby, of giving up Land prisoners for seamen, is altogether inadmissible. It would prove a constant source of reinforcement to the enemy. Under present circumstances, I do not see that you can come to any final determination upon the mode of exchanging or liberating seamen; should Commissioners meet you on that subject, you will, in conjunction with them, form a plan which may be deemed mutually equitable and convenient and report upon it.

You have herewith the Copies of the letters which have passed between the British Genl. and Admiral and myself upon the subject of your Commission. The superintendant of Finance will furnish you with materials for stating our Claims for subsistence of prisoners so far as he has been able to obtain them; And the Commissary of Prisoners will furnish you with any Official papers which may be in his possession and which may be found necessary to the accomplishment of a general or special Cartel.

Since the above I have been furnished by Congress with a number of representations respecting the treatment of our Marine prisoners. I have thought it proper to put them into your hands, that you may make the necessary use of them.[79]

To MAJOR GENERAL WILLIAM HEATH

Philadelphia, March 12, 1872.

Dear Sir: I have recd. your several letters of the 23d. 27th. and 28th. ulto and 5th. and 6th. instants.

I approve of your having sent a detachment to possess the Huts of the Connecticut State Troops, untill a Body of Militia could be again assembled for that purpose. I am glad to hear that the greater part of the Stores have been removed from Claverack, and I will see that means are provided to comply with General Schuylers promise of pay to the Militia who guarded them.

Supposing that all possible care has been taken to make an equitable arrangement of the Subalterns of the Massachusetts line, I approve of it, and desire it may be published accordingly.

General Pattersons information respecting the Indian Chief, is yet so vague, that there is no coming to any determination upon it. He may desire his Friend to prosecute the enquiry, and if he finds there are good grounds to believe the Indian sincere, measures may be taken to bring him over.

I perceive you had not, upon the 27th. ulto., received Mr. Morris's letter explaining the reason of the Contractors charging a seeming advanced price upon the Officers extra Ration of Rum. But as you must have gotten it since, I shall say no more upon that subject. I cannot conceive how any difficulty should arise upon the prices of the other Articles, which are expressly

[79] The draft is in the writing of Tench Tilghman.

specified in the Contract. Lord Stirling appears not to have had a Copy before him, as the prices, at which he says the Articles were to have been furnished, do not agree with those stipulated in the Contract, extracts from which I inclose. The Officer is upon the safe side. He draws his Rations, and if the Contractor charges more than he is intitled to do by his agreement, the appeal will go to the Superintendant of Finance, who will oblige him to do justice.

Those Artificers who, by the terms of their engagements, are to have an addition to the common Ration, must undoubtedly draw it; and it will lay with the commanding General to order an addition to Fatigue Men or to those upon extra duty when he sees occasion.

I am pleased to hear of the several partizan strokes upon the enemy's light Corps. It is a spirit which I would wish to see encouraged. You will be good enough to present my thanks to the Officers concerned. I have had information similar to Capt. Prays tho' other channels, and have communicated that and the several matters contained in your last letters to Congress. I am &c.[80]

To BRIGADIER GENERAL PETER MUHLENBERG

Philadelphia, March 12, 1782.

Sir: The Adjutant General informed me some little time ago that you had written to him to know whether you were to go on to the southern Army or remain in Virginia. I desired him to acquaint you that you should remain there 'till further orders.

By a late letter from his Excellency The Governor I find that a Bill has passed for recruiting the Line, and as there cannot be at present any command for you in the southern Army, you cannot be so well employed as in superintending the recruiting

[80] In the writing of Tench Tilghman.

service, which I desire you will undertake. I write to Colo. Febiger,[81] who formerly had the direction of that business, to take his orders in future from you. The recruiting Law having been mislaid, I cannot proceed to point out your line of conduct particularly; I can only recommend a strict conformity to the Law, and make an *earnest request* that the Recruits may be drawn to the place of General Rendezvous *as soon as possible* after they are raised; [for want of which heretofore, the Men after they were raised, have] been [dissipated and lost to the injury of the Service and burthen of the State].

I had directed three or four hundred suits of Cloathes to be sent to Colo. Febiger; You will upon their arrival receive them and see them carefully and properly distributed, [and regular accts. kept thereof]; should your success in recruiting be rapid, a further supply can be forwarded.

Lt. Colo. Carrington will, before he leaves town, make the necessary arrangements for the support of whatever post may be fixed upon for the General Rendezvous, which will remove many former difficulties.

You will inform Major General Greene of the duty which you are upon. You will acquaint him from time to time of your proceedings and take his directions for the manner of forwarding the Recruits; and for any other matters respecting the arrangement of the Line, as it falls under his immediate command. You will only observe that a proportion of the Recruits are to be reserved and destined for the Regiment of the state which is at Fort Pitt.

You will also keep me advised of your progress in the business upon which you will be employed. [I shall expect these advices once a fortnight by Post.] I am &c.[82]

[81] A draft of this brief note to Colonel Febiger, dated March 12, is in the *Washington Papers*.

[82] In the writing of Tench Tilghman. The portions in brackets are in the writing of Washington.

To GOVERNOR WILLIAM LIVINGSTON

Philadelphia, March 12, 1782.

Sir: Major Barber,[83] who now holds a Commission in the Line of the Army at large, informs me that if the State of New Jersey, to which he belongs, will grant him the Commission of Captain in one of their Regiments, he can prevail upon Captain Anderson[84] to resign in his favor, and that he can obtain the consent of all the Captain's junior to Capt. Anderson to his being admitted into his place.[85] If Major Barber can effect the latter, I would take the liberty of warmly recommending the measure, because permanent provision will be made for a very meritorious Officer for whom it will be difficult otherwise to find employ. Should your Excellency's influence with the Legislature be necessary to forward this matter, you will oblige me by using it upon the occasion. I have the honor etc.[86]

*To JAMES McHENRY

Philadelphia, March 12, 1782.

My dear Sir: The fair hand[87] to whom your letter of the 20th. of Jany. was committed presented it safe, and as you rightly observd, the value of it was enhanced by it.

Good Laws, ample means, and sufficient powers, may render the birth of your Intendant[88] a public benefit; and from the

[83] Maj. William Barber, aide to Lord Stirling. He had been wounded at Yorktown and served to January, 1783.

[84] Capt. Joseph Inslee Anderson, of the First New Jersey Regiment. He served to the close of the war.

[85] Captain Anderson and the other officers objected to this proposed arrangement; it was not carried out.

[86] The draft is in the writing of Tench Tilghman.

[87] Mrs. Richard Benjamin Lloyd.

[88] "We are just about closing our session. The only novelty which it has given birth to, is a man called an Intendant, whom we have vested with great powers, and who is to destroy that disorder in our affairs which has arisen chiefly from a bad money and want of money."—*McHenry to Washington,* Jan. 20, 1782. McHenry's letter is in the *Washington Papers.* Daniel of St. Thomas Jenifer had been appointed the Intendant.

Spirit of your people I hope these are provided; *without* them the appointment must be nugatory. Never, since the commencement of the present revolution, has there been, in my judgment, a period when vigorous measures were more consonant with sound policy than the present. The Speech of the British King, and the Addresses of the Lords and Commons are evincive proofs to my Mind of two things, namely their wishes to prosecute the American War, and their fears of the consequences. My opinion therefore of the matter is, that the Minister will obtain supplies for the current year, prepare vigorously for another Campaign, and then prosecute the War or treat of Peace as circumstances and fortuitous events may justify; and, that nothing will contribute more to the first than a relaxation, or apparent supiness on the part of these States. The debates upon the Addresses evidently prove what I have here advanced to be true. For these addresses, as explained, are meant to answer any purpose the Ministers may have in view. What madness then can be greater, or policy and œconomy worse, than to let the enemy again rise upon our folly and want of exertion? Shall we not be justly chargeable for all the blood and treasure which shall be wasted in a lingering War, procrastinated by the false expectation of Peace, or timid measures for the prosecution of it? surely we shall, and much is to be lamented that our endeavours do not at all times accord with our wishes; each State is anxious to see the end of our Warfare accomplished, but shrinks when it is called upon for the means! and either withholds them altogether, or grants them in such a way as to defeat the end. such, It is to be feared, will be the case in many instances respecting the requisitions of Men and Money.

I have the pleasure however to inform you that the Assembly of this State,[89] now setting, have passed their Supply Bill

[89] Pennsylvania.

without a dissenting voice, and that a laudable spirit seems to pervade all the Members of that body but I fear notwithstanding, they will be deficient of their quota of Men. It is idle at this late period of the War, when enthusiasm is cooled if not done away; when the Minds of that class of men who are proper subjects for Soldiers are poisoned by the high bounties which have been given; and the knowledge of the distresses of the Army so generally diffused through every State, to suppose that our Battalions can be compleated by voluntary enlistment; the attempt is vain and we are only deceiving ourselves and injuring the Cause by making the experiment; there is no other *effectual* method to get Men suddenly, but that of classing the People and compelling each class to furnish a Rect., here every Man is interested; every Man becomes a recruiting Officer. If our necessities for Men did not press, I should prefer the mode of voluntary Enlistment to all others to obtain them, as it does, I am sure it will not answer. and that the Season for enterprise will be upon us long e're we are ready for the Field.

The anxious state of Suspense in which we have been for some time, and still remn., respecting the Naval engagement in the West Indies and attempt upon Brimstone hill in the Isld. of St. Kitts, is disagreeable beyond description; the Issue of these must be very interesting and may give a very unfavourable turn to affairs in that Quarter and to America in its consequences. With much sincerity and Affection, etc.

To BRIGADIER GENERAL HENRY KNOX AND GOUVERNEUR MORRIS

Philadelphia, March 13, 1782.

Gentlemen: Messrs are delegated by the Merchants of this City to apply a sum of Money which has been raised by subscription to the relief of the Marine Prisoners in New York

belonging to the Port of Philada. They are directed to consult you upon the most proper and efficacious mode of answering the benevolent intentions of the subscribers. The Gentlemen do not propose going themselves into New York. The Business may possibly be negotiated through the British Marine Commissary. I am &c.[90]

To GOVERNOR THOMAS SIM LEE

Philadelphia, March 14, 1782.

Sir: I think it necessary to inform your Excellency, that I have granted permission to the sloops Mary and Leith to proceed from New York to Baltimore, with Cloathing and Necessaries for the British and German Prisoners of War at Frederick Town and other places in the state. Should there be any impropriety in those Vessells going up to the Town, you will lodge orders to have them stopped at any convenient place below it. The Officers who have the Goods in charge will have occasion for Waggons to Transport them from the place of debarkation to the places of Cantonment. They will pay for the hire of them, and I could wish that no imposition may be put upon them and that they may have passports under your Excellencys authority for their safe conduct thro' the Country. I have the honor etc.[91]

[MD. H. S.]

To COLONEL RICHARD BUTLER

Head Quarters, Philadelphia, March 14, 1782.

Sir: I have duly received your favor of the 4th. and also, (in the absence of General Irwin) the Letter of the same date addressed to him.

[90] The draft is in the writing of Tench Tilghman.
[91] In the writing of Benjamin Walker.

I am sorry to hear the success of the recruiting service is not so great as could be wished or reasonably expected. I have reiterated the direction before given to Col Humpton, to have the recruits as soon as may be assembled at Carlisle, and I am informed there will be two Hundred Suits of Cloaths, with an equal number of Arms and accoutrements, ready to be forwarded to the same place in a few days; Instructions are also given to the Quarter Mastr Genl to have Carriages and Camp Equipage provided for the Detachment as soon as may be necessary for the movement; he will likewise make arrangements with Col Carrington the Depy Quarter Mastr for the Southern Army (now in this Town) for the accommodation of the Troops in the March.

I wish every exertion may be made to augment the detachment to the greatest possible number, and to put it upon the most respectable footing. But from a consideration of the present circumstances, I would not have the Troops move untill you receive further Orders, in the mean time, nothing should retard the preparations, or prevent their being held in the most perfect state of readiness for a Movement. I am etc.[92]

To BRIGADIER GENERAL HENRY KNOX AND GOUVERNEUR MORRIS

Head Quarters, Philadelphia, March 14, 1782.

Gentlemen: I inclose to you, an Extract of a Letter of the 7th. Inst. from Sir Henry Clinton, by which it appears, he had for certain reasons, thought proper to nominate different persons for Commissioners from those he had first named; and that he wished to postpone the time of the meeting untill the 10th of April; I have written to him respecting the inconveniences

[92] The draft is in the writing of David Humphreys.

which will be occasioned by delaying the meeting, and have proposed that his New Commissioners should meet you at an earlier day. That Letter I request you will cause to be forwarded; and at the same time, that you will address him on the same subject, in order to your determining the expediency of waiting their arrival or returning as soon as you shall receive an Ansr from New York.

I have sent you also under cover, a Copy of Admiral Digby's Letter of the 5th which you will observe he has only partially acceded to the proposal I had made to him. With great regard etc.[93]

To CAPTAIN BARTHOLOMEW VON HEER

Philadelphia, March 14, 1782.

Sir: I yesterday desired you to have as many of your troop as you could equip and mount at Burlington in New Jersey by Tuesday next. I now repeat it, with a further request that they may be punctual, as I propose setting off from hence on Wednesday Morning; should you find that they cannot be there at the time abovementioned, you will let me know it beforehand. I am etc.[94]

To SIR HENRY CLINTON

Philadelphia, March 14, 1782.

Sir: I late last evening recd. your Excellencys letter of the 7th. My Commissioners had set out for Elizabeth Town on Tuesday. As it will be inconvenient for them to remain in that neighbourhood until the 10th. of next Month, the time to which you wish the meeting may be postponed, and as returning and having the journey to repeat at this season of the year will be a

[93] The draft is in the writing of David Humphreys.
[94] The draft is in the writing of Tench Tilghman.

disagreeable circumstance, I am to request you to endeavour to make the meeting so much the earlier that the Gentlemen may find it more advantageous to remain in Jersey to that time than to return. You will be pleased to inform them of your determination that they may take their measures accordingly.

Inclosed you have the passports for the Store Ships for Delaware and Chesapeak. I have fixed upon Wilmington and Baltimore as the places most convenient to the Cantonments of the prisoners.[95] I am etc.[96]

*To COLONEL JOHNSTON[97]

Philadelphia, March 15, 1782.

Dear Sir: You will very much oblige me by giving information whether any, or what measures are necessary to be pursued by Land holders in cases.

"Where Lands have been Surveyed and patented under the Authority of the State of Virginia, and the charges accruing thereon paid to the proper Officers of that Government; but, upon the late settlement of boundary between the two Commonwealths, and extension of the Western line, are found to be within the limits of Pensylvania"?

Many cases of this sort are within my view, and a Gentleman of my acquaintance has requested me to make the above enquiry. You will excuse the trouble of it, and believe me to be with great esteem etc.

[95] Accompanying the draft is a draft of a passport, dated March 14, to brigantine *Dolphin,* about 147 tons, Charles Cook, master, and eight seamen, to proceed from New York to Wilmington, Del., with clothing, stores and necessaries for the British and German prisoners of war. Mr. John Tayliour, a subaltern, and two noncommissioned British officers were allowed to take care of the clothing. The same passport was issued for the brig Duncan, Jeremiah Picker, master; and also for the sloops *Mary* and *Leith,* Thomas Smith and Edward Ross, masters, respectively, to go to Baltimore.

[96] The draft is in the writing of Tench Tilghman.

[97] Col. Francis(?) Johnston.

To THE SUPERINTENDENT OF FINANCE

Philadelphia, March 15, 1782.

Sir: Major Genl. Baron Steuben proposes to leave Town next Week, and has again applied to me on the subject of his former Letter. I think his situation peculiar and such as to call for some attention to his request and I would wish you to comply with it, so far as is consistent with your other arrangements. I am etc.[98]

To BENJAMIN DULANY

Philadelphia, March 15, 1782.

Dear Sir: Your favor of the 28th. ulto. in answer to my letter from Mount Vernon in Novr., came to my hands by the last post, but not in time for me to reply by the return of it.

Delaying your answer 'till all parties had made up their minds upon the subject matter of that Letter, was more pleasing to me, than an earlier communication which would have been indecisive; because it is much my wish (for reasons already given you) to bring the affair to an issue, as soon as it could be done, consistently.

If there are Lands for which Mrs. French and you are disposed to barter your tract on Dogue-run; and these lands can be had upon reasonable terms; it will in the end be the same thing to me as a direct purchase. I have such reliance on the honor and judgment of the Gentlemen you have named, as to leave the valuation of the Lands, and the terms of exchange, entirely to them; and you may rest assured, will abide religeously by their determination, be it what it may.

Mr. Lund Washington, to whom I have transmitted a copy of your letter, will converse fully and freely with Mrs. French and you on this business, and consult you on the best mode of

[98] The draft is in the writing of Benjamin Walker.

carrying it into execution. Whatever he does on my behalf shall be as binding upon me, as if the business had been transacted under my own hand and Seal.

My best respects attend Mrs. French and Mrs. Dulany, in which Mrs. Washington joins me. With great esteem, I am, etc.[99]

To CAPTAIN ISAAC CRAIG[1]

Philadelphia, March 16, 1782.

Sir: Brigr. Genl. Knox having laid before me the respective claims of Capt. Porter[2] and yourself signed by each of you, I am of opinion, from a consideration of all circumstances, that Captain Porter is entitled to that Rank in the Line of Artillery, which the Board of Officers appointed to arrange it, conferred upon him. I am etc.[3]

To PHILIP SCHUYLER

Philadelphia, March 16, 1782.

Dear Sir: I have only leisure to acknowledge the receipt of your favor of the 6th by the return of Mr Renselaer; and to thank you for your attention, in keeping me so constantly and minutely advised, of the matters in agitation, as well as the general system of policy in your quarter. I have the pleasure to congratulate you, on the capture of St. Christophers, Nevis

[99] "Letter Book" copy. Dulany's letter of February 28 (*Washington Papers*) says: "Mr. Manley's Land mentioned by you, is entirely at the disposal of Mr. William Triplett the Executor" and that Mrs. French would exchange her land on Dogue Run for land near where she lives. Lund Washington, Humphrey Peake, William Triplett, and Charles Little were the gentlemen named to settle the exchange. Dulany closed his letter with an illuminating remark: "Old Folks are not easily *satisfied* and especially Widows."

[1] Captain in the Fourth Continental Artillery. His majority ranked from October, 1781; served to June, 1783.

[2] Capt. Andrew Porter, of the Fourth Continental Artillery. His majority ranked from April, 1781. He was promoted to lieutenant colonel in January, 1782, and served to June, 1783.

[3] The draft is in the writing of Tench Tilghman.

and Monserat by our allies; Although there is no official intelligence of this success, it comes in such a manner as that I have no doubt of the authenticity of it. With every Sentiment &c.[4]

*To THOMAS PAINE

Philadelphia, March 17, 1782.

Sir: I would spend an evening with you with much pleasure were it in my power; but, I had fixed upon Wednesday to leave the City, and if the Secretary at War, with whom I have business, should arrive in time, I still shall do it.

Tuesday I am under a particular engagement, and the Evening of every Monday I meet the Financier and some other public Officers at his Office on general matters; how far this meeting can be dispensed with, Mr. Morris, from his knowledge of the business that would come before it, can best determine. His inclination, as it may be signified to you, shall govern me; and I will meet him at your quarters, or his office, as you may agree.

My sentiments with respect to the evacuation of Charles Town, accords with yours; and I believe this Post will be given up, notwithstanding the disaster which the Brest Fleet has met with; unless G: Britain can do more than acquire a momentary superiority in the West Indies and on this Coast. I am etc.

P. S. Company prevented me from writing sooner.[5]

To MAJOR GENERAL HORATIO GATES

Philadelphia, March 18, 1782.

Sir: I have received your favor of the 20th. of February, by which, I am surprised to find that my letter of the 1st. of

[4] The draft is in the writing of David Humphreys.

[5] From a photostat of the original kindly furnished by Dr. A. S. W. Rosenbach, of New York City.

November from York in Virginia, in answer to yours of the 22d. of May and 7th. of October last, had never reached you. I take the liberty of inclosing a Copy of it.

You will perceive by a Resolve of Congress of the 19th. of December last, of which I inclose you a Copy, that after the arrangements of the Campaign are made, it will lay with the Secretary at War to nominate the General Officers for service, and to give them the necessary notice. You may therefore expect to hear shortly from him. Had not General Lincoln been called to Boston, from whence he only returned last evening, the business would have been determined before this time. It will however be settled before I leave town which will be in two or three days.

I return you thanks for your congratulations and kind wishes, and have the pleasure to inform you that our affairs, especially in Europe, wear a most favorable aspect. Our own exertions, in which I hope we shall not be wanting, seem only necessary to insure us the reward of our toil and labor. I am etc.[6]

[N.Y.H.S.]

To MAJOR GENERAL NATHANAEL GREENE

Philadelphia, March 18, 1782.

My Dear Sir: I have your favr. of the 24th. of January and your public and private letter of the 7th. of February. It gives me the more pain to hear of your distresses for want of Cloathing or other necessaries, as you are at so great a distance that you cannot be suddenly relieved, even if we had the means. I am not however without hopes, that should the War be continued to the southward (of which I have my doubts for reasons which I shall presently give) matters will be put into much better train than they have hitherto been. The arrangements made already

[6] In the writing of Tench Tilghman.

by the superintendent of Finance have been attended with infinite public advantages, and he is extending those arrangements as fast as circumstances will possibly admit. I am sorry to see a jealousy arising from a supposition that there has been a partiality of conduct. I am certain there has been no such intention, and that instead of a charge of having done too little, it will soon be a matter of wonder how Mr. Morris has done so much with so small means. As I know he corresponds with you on the affairs of his department, I shall content myself with saying, that before Colo Carrington leaves town, measures will be taken to enable him to make provision in future, for the ready transportation of Stores, and for the accommodation of Troops moving to the southward. It is agreed that the Elaboratory shall be removed from Richmond to New London.

In my former letters upon the subject, I acquainted you with the reasons which operated against Count de Rochambeau's detaching more than the Legion of Lauzun towards South Carolina, upon your requisition for a reinforcement. Altho' my instructions to you did not mention a power to call upon the Count for assistance, yet I look upon it as implied in my desire to you to correspond with him. The circumstances of the moment must determine whether any or what can be spared by him.

By late advices from Europe and from the declarations of the British Ministers themselves, it appears, that they have done with all thoughts of an excursive War, and that they mean to send small if any further reinforcements to America. It may be also tolerably plainly seen, that they do not mean to hold all their present posts, and that New York will be occupied in preference to any other. Hence, and from other indications, I am induced to believe that an evacuation of the southern States will take place. Should this happen, we must concentre our force as

the enemy do theirs: You will therefore, upon the appearance of such an event, immediately make preparations for the march of the Army under your command to the Northward. What troops shall in that case be left in the southern States will be a matter of future discussion.

No other reinforcement went from New York to south Carolina than that of the 400 which had arrived. Letters, which you had not received when you last wrote, will have informed you, that our first intelligences respecting the number of Men embarked were false. With the highest sentiments etc.[7]

To BRIGADIER GENERAL MOSES HAZEN

Philadelphia, March 18, 1782.

Sir: As the Season for Opening the Campaign now approaches, it becomes necessary that you collect and keep together the Officers and Men of the Regiment under your Command and hold them in readiness to March on the Shortest warning. I must also request that you will embrace every Opportunity the Weather affords to perfect the Regiment in its Discipline and Exercise. I am &c.[8]

To COLONEL RICHARD HUMPTON

Philadelphia, March 18, 1782.

Sir: You will immediately have all the recruits raised for the Pensilvania Line collected at the General Rendezvous and Armed and Equipped for the Field, and as fast as any more are recruited you will have them Collected and Equipped in the same manner.

[7] The draft is in the writing of Tench Tilghman.
[8] The draft is in the writing of Benjamin Walker.

You will embrace every Opportunity to Exercise and Discipline the recruits and have them held in readiness to March at the Shortest warning. I am &c.[9]

*To ——— GRIEVE

Philadelphia, March 18, 1782.

Sir: The inclosed will introduce you to the acquaintance of Colo. Rumney,[10] and be the mean, I expect, of obtaining information of the situation, and circumstances attending Earl Tankerville's[11] Estate. I am etc. [H.L.]

To COLONEL JOSEPH VOSE

Philadelphia, March 18, 1782.

Sir: In consideration of the Situation of your private affairs as mentioned in your Letter to me of the 1st Mch and of General Lincolns representation on your behalf I consent to your remaining absent from Camp 'till the 10th. of May but must desire you to be punctual to that time. I am &c.[12]

To PRESIDENT WILLIAM MOORE

Philadelphia, March 18, 1782.

Sir: I have the honor to enclose the Copy of a Return of the Non Commissioned Officers and Privates of the Pennsylvania Line now serving with the Southern Army; your Excellency will observe by the Note annexed to it, that the Return is not so compleat as could have been wished; but General Greene

[9] This same letter was sent to the officer commanding the Rhode Island regiment.
[10] Col. William Rumney, of the Virginia Militia.
[11] Charles Bennett, Earl Tankerville. He had been the chief beneficiary of John Colvill, whose brother Thomas had made Washington one of his executors.
[12] The draft is in the writing of Benjamin Walker.

having proposed sending a perfect Return, as soon as it could be obtained, it will be communicated by the earliest opportunity. I have the honor etc.[13]

To COLONEL TIMOTHY PICKERING

Philadelphia, March 18, 1782.

Sir: I have to acquaint you that I propose leaving Town on Wednesday or Thursday next, and as I would wish to have you at the Army as soon as you have made the necessary Arrangements for your Department I must desire you to acquaint me when you think you will be able to follow me. I am &c.[14]

*To JOSEPH REED

Philadelphia, March 18, 1782.

Dr Sir: I have given The Adjt. General the necessary orders respecting the matter you mentioned to me to day, and he will direct the officers Commanding at the Barracks; Colonels Humpton and Nicola, and Mr. Colfax[15] (of my Guard) to be particularly attentive to the Men under their respective Commands. In confidence, I have mentd the reason to Genl. Hand, but he will assign none to the Officers to whom he gives the order, excepting that it is to prevent any kind of Riot or tumult; altho' I would fain perswade myself that no insult[16] will be offered to you this day, yet under the bare possibility of it, it is best for Mrs. Washington to deprive herself of the pleasure she proposed of drinking Tea with you this afternoon, and I beg the favor of you to excuse her to Miss Reed. I am etc.

[13] The draft is in the writing of David Humphreys.

[14] The draft is in the writing of Benjamin Walker.

[15] Lieut. William Colfax, of the Fifth Connecticut Regiment. He was detailed to the Commander in Chief's Guard; promoted to captain of the Second Connecticut Regiment in January, 1783; served to November, 1783.

[16] On account of the local Philadelphia political tension at that time.

To JOHN MOYLAN

Philadelphia, March 18, 1782.

Sir: I propose leaving Town in a day or two and before I set out I would wish you to acquaint me how far the Army are Supplied with Cloathing what quantity of that Article you have on hand, and what are your prospects for the summer Cloathing. I am &c.[17]

To BRIGADIER GENERAL EDWARD HAND

Philadelphia, March 18, 1782.

Sir: I intend in a day or two to set out to join the Army on the North River and wish you at the same time to forward your Official papers and send on some of the Gentlemen of your Office; but as the Adjutant Generals Department is not yet Arranged you are yourself to remain in Town untill it is compleated or untill you hear further from me. I am &c.

P. S. I could wish your stay in this City may not exceed 12 or 14 days.[18]

To COMTE DE BENIOWSKI[19]

Philadelphia, March 18, 1782.

Sir: I am honord with your Letter of this Morning.

It would give me very great pleasure to recommend to Congress an Officer of your Rank and Abilities, could I suppose that such a recommendation would have any weight in inducing them to accept those offers of Service which you Sir so generously make to this Country; but I am sorry to say that the

[17] The draft is in the writing of Benjamin Walker.

[18] In an unidentified writing, in the *Papers of the Continental Congress*, no. 78, XII, fol. 209. The P. S. is in the writing of Washington.

[19] Comte Maurice Auguste de Beniowski.

situation of our affairs at this time is Such that a considerable reduction has lately taken place among our old Officers by which some very valuable General Officers who have Served their Country during the whole of this Contest and who wished to remain in service, will be obliged to retire.

I sincerely lament, that your arrival in America was not at an earlier period when this Country could have employed you in a manner suitable to your Rank and thereby have recd essential benefit from that Military Experience which a length of Service must have given you. I have the honor etc.[20]

*To THE PRESIDENT OF CONGRESS

Philadelphia, March 18, 1782.

Sir: The Secretary of War [having] arrived from the Eastward, I expect to be able to finish my business with him in the course of a day or two, and shall be ready, if Congress see no farther occasion for my stay in this City, to set out for the Army on the North River on Wednesday or thursday next.

[I request the favr. of your Excellency to honor me with the determination and commands of Congress.] I have the honor etc.[21]

To MAJOR GENERAL SAMUEL HOLDEN PARSONS

Philadelphia, March 19, 1782.

Dear Sir: I was yesterday favoured with your Letter of the 11th of March, on the subject of your retiring from service on certain conditions therein Mentioned.

[20] The draft is in the writing of Benjamin Walker.

[21] The words in brackets are in the writing of Tench Tilghman. The letter sent, in the writing of Tilghman, is in the *Papers of the Continental Congress*. It was read in Congress on March 20 and an audience granted the Commander in Chief on March 21.

I have without delay referred your application to the Secretary at War; which is now the only proper Channel through which all business of this kind can be negotiated; In two or three days I shall set out for the North River, where I shall expect the pleasure of seeing you in a short time; and in the interim I am etc.[22]

To BRIGADIER GENERAL HENRY KNOX AND GOUVERNEUR MORRIS

Philadelphia, March 19, 1782.

Gentlemen: Your favor of the 16th. reached me last Evening. I do not see that any alteration is necessary in your instructions relating to Mr. Laurens. From what we yet know, he is not at liberty to leave England and therefore as much a prisoner in fact as before the extension of his limits. I am etc.[23]

To BRIGADIER GENERAL JEDIDIAH HUNTINGTON

Philadelphia, March 19, 1782.

Dear Sir: I have been duly favored with your several Letters of the 9th and 18th of Febry and 8th. of March. I am much obliged by the particular information you have communicated in them; it is from such reports alone I can be enabled at present to form any judgment of the force which may be calculated upon, for the Campaign.

If you judge it necessary, that the Officers, who are on the Committee for settling the accounts of the Connecticut Line, should remain in the State after the 10th of April; you are at liberty to retain them. You will also be pleased to direct two Officers to be stationed at the places you mention for the purpose

[22] The draft is in the writing of David Humphreys.
[23] The draft is in the writing of Tench Tilghman.

of mustering and superintending the Recruits. Was I not fully convinced of your zeal for promoting this service; I should reiterate (in the strongest language) all my wishes, anxieties and expectations on that subject; but I will confide in your ardor, and activity in doing every thing that is possible to be done, to have the Recruits obtained, collected, and forwarded as soon as possible. I am etc.[24]

To LIEUTENANT COLONEL JOHN CUMMING[25]

Philadelphia, March 19, 1782.

Gentlemen: I have recd. your favor of the 13th: Inst.[26] At the request of Major Barber and Captain Anderson I wrote to the Legislature of New Jersey expressing my approbation of the Exchange which was in Negotiation between those two Gentlemen, but it was upon the following condition, that the consent of all the Officers junior to Capt. Anderson, and who would be affected by the exchange, should be obtained. You have therefore only to make your disapprobation of the measure known to the Legislature should the matter be carried before them. I am etc.[27]

To COMTE DE ROCHAMBEAU

Philadelphia, March 19, 1782.

Sir: I have been honored with your Excellency's favor of the 27th. ulto. Under present appearances I think General de Choissy should not move beyond Charlotte Court House. There are several reasons to induce a belief that the enemy mean

[24] The draft is in the writing of David Humphreys.

[25] Of the Second New Jersey Regiment. He was promoted to lieutenant colonel commandant in February, 1783, and served to November, 1783.

[26] Cumming and 12 others signed the protest of March 13 against the proposed exchange. This protest is in the *Washington Papers*.

[27] The draft is in the writing of Tench Tilghman.

to evacuate south Carolina and Georgia. If such an event is to take place we must soon know it.

I requested His Excellency the Minister of France to inform you that whenever it became necessary, I would meet you at this place. Mount Vernon, exclusive of the happiness of entertaining you at my own House, would be very agreeable to me, but I could not at the opening of the Campaign go so far from the Army.

I congratulate your Excellency upon the total surrender of the Islands of St. Kitts and Nevis, which is fully confirmed. Montserrat must I think fall of course. I have also the pleasure to inform you that the Marquis de la Fayette and the Gentlemen who went with him all arrived safe in France after a passage of 22 days. I have the honor &c.

P. S. I set out for the Army tomorrow.[28]

To COLONEL CHARLES ARMAND-TUFFIN

Philadelphia, March 20, 1782.

Sir: I have recd. your favour of the 5th. instant accompanied by a letter from Colo Ternant inclosing the Inspection Return of your Legion for the present Month.

When I sent you the order to march the Legion by detachment, to join the southern Army, it was from an apprehension that the enemy intended to reinforce their Army largely in Charles town from Europe as well as from New York; But as that does not appear to be the case, you will remain where you now are, taking every method to get compleatly equipped and ready for service. However, should circumstances make it necessary for Genl. Greene to call upon you for assistance, you will, in such case, look upon yourself obliged to march by

[28] In the writing of Tench Tilghman.

detachment without hesitation. You will acquaint Genl. Greene with what I have said upon the subject, and inform him, that for the reasons you have given me, you would not wish to move until you can carry forward your whole Legion in proper order.

It really gives me pain to hear you so often mentioning a subject in which I cannot interfere for reasons which I have given you at full in my several late letters.[29] As to an Officer of Horse, elder than yourself, going to the southward, it will be a thing inevitable should the War continue in that Country. Colo. Moylans own Regiment and the Bulk of the Cavalry are already there, and that Gentleman would certainly have a right to complain should he be deprived of his command.

Measures necessary for the compleat equipment of your Corps, may not go on as rapidly as you could wish, but I assure you every thing that can be done for you, is doing. You know and must make allowance for the embarrassed situation of our affairs. We are just emerging from a mass of confusion and a little time will be necessary to put things in regular order. Believe me to be etc.[30]

To THE SUPERINTENDENT OF FINANCE

Philadelphia, March 20, 1782.

Sir: I have been honored with your favor of this Morning. I will make an experiment with your drafts upon Mr. Swanwick[31] which I doubt not may be disposed of among the trading people in New York and New Jersey. The smaller the Bills are the more easily will they be negotiated. The sum of 4000 Dollars will be sufficient, at one time.[32] I have the honor etc.[30]

[29] Armand had complained of having been passed over in promotion.
[30] The draft is in the writing of Tench Tilghman.
[31] John Swanwick. He was secretary to the Superintendent of Finance.
[32] Money for headquarters expenses.

*ANSWER TO THE ADDRESS OF CONGRESS

[Philadelphia, March 21, 1782.]

I feel very sensibly, this fresh assurance of the esteem and confidence of Congress; and thank them most cordially for their good wishes and recommendation of me to the protection of divine Providence.

I beg leave to repeat, that nothing within the compass of my abilities, and which depend upon the closest attention, shall be wanting on my part to answer the expectation of Congress the ensuing Compaign.[33]

To THE SECRETARY AT WAR

Philadelphia, March 21, 1782.

Sir: In conformity to a Resolve of Congress of the 19th. of December last I am to make known to you the number of General Officers which I shall judge necessary to be in the Field in the Main and separate Armies and in different parts of the United States.

This at the present moment considering the uncertainty of the operations of the Campaign which will depend not only upon the dispositions of the enemy but upon the advices which we may expect from our Ally in Europe is a matter of no small difficulty. I shall however proceed upon a supposition that we shall continue to keep two Armies in the Field. That under my own immediate command and that under Major Genl. Greene to the southward; And in making my present arrangement,

[33]The address of Congress, which was delivered by the President from the chair, is in the writing of John Hanson, in the *Washington Papers,* as follows: "Congress have been informed by your letter of the 18, that you judge it necessary to Set out for the Army on the North River. They have nothing in particular to give you in Charge, and have appointed this Audience only to assure you of their esteem and Confidence, to recommend you to the protection of Divine providence and wish you happiness and Success."

I shall confine myself to the Army under my immediate command, because I am not fully enough acquainted with the nature of the southern service to determine what General Officers are requisite and because some of those States, which now have few or no Men in the Field, may, by calling out temporary Bodies of Men or recruiting their continental lines, make up commands for the General Officers belonging to them.

The Infantry under my immediate command consists of the Battalions of the States from New Jersey to New Hampshire both included which, with Hazen's Regt, compose *Eight Brigades,* and which, under the mode in which the Army has been heretofore formed would require *Eight Brigadiers,* and *Six Majors General.* Four for the Division and two for the Wings: But as the Resolve referred to seems to have been founded upon a desire to œconomize as much as possible and as the Wings of the Army will be so contracted as not absolutely to require more than one Major General to each, I will call for only *Three Majors General* for the Main Body of the Army Two for the Wings and one for the Reserve or second Line.

We are already deficient in Brigadiers and therefore the Duties which I shall now point out must be performed by Majors General and if any reform takes place it must be among the Officers of that Grade.

The Light Corps will require a General Officer. West point from its importance can never be left without a General Officer, and one in whose Ability the utmost confidence may be placed.

And from the difficulties which we have good reason to expect upon the Northern Frontier a General Officer should be reserved for that contingency.[34]

[34] At this point in the draft the following is crossed off: "General Knox and General Duportail being absolutely necessary at the Heads of their departments remain in service of course."

Upon the preceding arrangement we shall want

	Majs. Genl.	Brigs. Genl.
For the Brigades	0	8
For the Wings	2	0
For the second Line	1	0
For the Light Corps	1	0
For West point	1	0
For Northern Frontier	1	0
	6	8

Should we carry on an offensive operation a very considerable Body of Militia must be called in upon the occasion, and as it would be necessary, to make them useful, to put them under the command of General Officers of experience, we ought to endeavour to reserve one or two for such an event. I know it may be said, in answer to this, that the General Officers, who may be deranged at present, may, under the Resolve, be called again into service, if wanted: But upon considering that matter properly we shall find that no great dependance can be put upon the services of an Officer for the remainder of the Campaign who has been deranged at the commencement of it. He will have retired home; He may have made dispositions for remaining at home, and he might think it hard to be called off suddenly from plans which he may have entered upon, upon a supposition that his services would not be again required, at least for the Campaign.

Let us now, upon a comparative View of the number of General Officers not assigned already to particular duties, with the number required upon the lowest calculation, see whether any reform can be admitted, and whether, if any, it will not be so small as not to merit the public attention:

Majors General.	
Putnam	Incapable of service on account of Health.
Gates	
Heath	
Lincoln	Secretary at War
Stirling	
McDougall	
Parsons	
Steuben	Inspector General.
La Fayette	
Howe	
Du Portail	Command of Engineers
St. Clair	Included here because it is probable that he will come to the Northward.
Brigadiers General.	
Knox	Commanding Artillery.
Hand	Adjt. General.
James Clinton	
Glover	
Patterson	
Huntington	
Starke	
Hazen	

From the foregoing it appears that for the Army under my command Six Majors General and Eight Brigadiers are wanting upon the lowest Calculation and that we have Eight Majors General and six Brigadiers not already attached to particular duties. Whether therefore, all circumstances considered, the two supernumerary Majors General may be dispensed with is left with you to determine. I have the honor etc.

P. S. Brigadier General Irwine commands at Fort Pitt by order of Congress.[35]

[35] The draft is in the writing of Tench Tilghman.

To BRIGADIER GENERAL ELIAS DAYTON

Head Quarters, Philadelphia, March 21, 1782.

Sir: I propose setting out for the North River in a short time, and wish you to detach a Captain and 40 Men of the Jersey Brigade so as that the party may be at Somerset Court House by Monday night next without fail; it will be expedient for them to be furnished with three or four days provision, to provide against any contingency of bad Weather or unforeseen delay. I am etc.[36]

To BRIGADIER GENERAL WILLIAM IRVINE

Philadelphia, March 22, 1782.

Dear Sir: You will be pleased to make yourself acquainted as accurately, but with as much secrecy as possible, with the nearest and best Route from Fort Pitt to Niagara. Whether up the Allegany River and from thence thro' the Woods, or by the River La Beuf and along the side of the Lake. You will, in both cases, mention the different distances of land and Water transportation.

The Indians and Traders, who have been used to traverse the Country above mentioned, must be well acquainted with it. In order to deceive those of whom you inquire, appear to be very solicitous to gain information respecting the distances &c. to Detroit. The other matter you may converse upon as if curiosity was your only inducement.

I shall leave town this day to go to the Army upon the North River. Your letters to me may be put under cover to the Secy at War. I am &c.[37] [H.S.P.]

[36] The draft is in the writing of David Humphreys.
[37] In the writing of Tench Tilghman.

*To JAMES WILSON

Philadelphia, March 22, 1782.

Dear Sir: Necessity obliges me to give you my promissory Note instead of the deposite of a hundred Guineas. I will take it up as soon as I can.

Permit me to recommend my Nephew[38] to you; not only as a Student requiring your instruction, but to your attention as a friend. His youth and inexperience may require it, and I perswade myself his sensibility and gratitude will make you every return which may be in his power.

If the funds, which his Father has provided for him, should fail, and he stand in need of Money, I will see any sum which can be borrowed for his use repaid with Interest. With much truth I am etc.

To MAJOR GENERAL HENRY KNOX AND GOUVERNEUR MORRIS

Trenton, March 24, 1782.

Gentlemen: I received last Evening at this place, your favor of the 22d. with several Enclosures; it gives me satisfaction to find that you are so soon to proceed upon the business of your

[38] Bushrod Washington, who studied law under James Wilson.

On March 22 Washington wrote to John Laurens: "I shall with great pleasure, pay the further sum which may be due for the articles you brought from France for me, when called upon. I am sorry that the raising of the black corps, hung in suspence when you last wrote; but hope if your Assembly then about to sit adopted the measure, it is now in a degree of forwardness, and may be useful to the public cause. . . . I am within an hour of setting off for the Army on the No. River, and surrounded with visitors." This letter was sold at auction in 1895.

On this same day (March 22) the deputy quartermaster at Philadelphia receipted to Lieutenant Colfax for a quantity of furniture and household utensils returned by the Commander in Chief. This receipt is in the *Washington Papers*.

On March 23 Washington was at Burlington, N. J.

commission;[39] in the mean time, I propose being at Morris Town on the 26th Inst. where I shall probably have the pleasure of seeing you. I am etc.[40]

To MAJOR GENERAL WILLIAM HEATH

Morris Town, March 26 (Evening), 1782.

Dear Sir: I am on my way to the North River, and shall pass thro' the Clove the last of this Week. I wish you therefore to detach a Captain and 50 Men, so as that they may be on friday Night next (that is on the Night of the 29th Inst) at Galloways or some other farm house, nearer to the place, where the new Road from Ringwood forms the junction with the Smith's Clove Road; it will be best for the party to be supplied with three or four days provision, lest bad weather or accident should prevent my coming forward so soon as I propose, the Officer will remain there untill he hears from me. I am etc.

P. S. If the party cannot get to the place of destination on friday night, they should at all events be there by Saturday Morning.[41] [MS. H. S.]

To MAJOR GENERAL HENRY KNOX AND GOUVERNEUR MORRIS

Morristown, March 28, 1782.

Gentlemen: I have had intimations, that under the idea of the cessation of Hostilities within certain limits, a number of People intend to come over from New York to our Lines; to prevent all intercourse of this kind is the principal design of this

[39] Sir Henry Clinton appointed March 28 for the meeting of the exchange commissioners at Elizabethtown.

[40] The draft is in the writing of David Humphreys.

[41] In the writing of David Humphreys.

Letter. Sir Wm Howe on a former occasion proposed that a neutrality should take place to a certain distance from the spot where our Commissioners were to assemble, in order that they might not meet with any interruption in the transaction of their business, from the hostilities and alarms which might otherwise have happened in the Neighbourhood of them. It was upon this principle and for this reason, the present proposal was made on my part; nor was it indeed or could be construed to extend any farther.

It is therefore my particular desire that no Persons coming from the Enemy be permitted to land, except the Commissioners and those immediately connected with them.[42] And as I think it expedient not only to prevent new Channels of communication with the Enemy from being opened; but as far as practicable to shut the former; I could wish you would take the trouble to inform yourselves of the practice of sending and receiving Flags on the Lines and point out such alterations and regulations as you shall deem proper to prevent the evils which have been complained of, as resulting from too frequent an intercourse with the Enemy.

I have been informed by the Commissy of Prisoners, that the Enemy are preparing to send out a considerable quantity of goods under the sanction of passports granted by me for bringing out Cloathing and necessaries for the use of their Prisoners. This is so contrary to my intention, and may be productive of such ill consequence, that I have sent Col Smith[43] to explain the matter to you and to request you will examine the List and signify what Articles should be considered as necessaries and what

[42] At this point the draft has the following crossed out: "and that no Flags should be suffered to pass or repass, except such as may be employed on the business of the Commission, to which every facility and aid ought to be given."

[43] Lieut. Col. William Stephens Smith.

quantity ought to be permitted to be sent out. Mr. Skinner is directed to give you the necessary information; he will also explain to you the mode which has prevailed of making partial exchanges, this subject I need not recommend particularly, as it is comprehended within the limits of your Commission. I have the honor etc.[44]

*To COLONEL MATTHIAS OGDEN

Morristown, March 28, 1782.

Sir: The spirit of enterprise so conspicuous in your plan for surprising in their quarters, and bringing off the Prince William Henry and Admiral Digby, merits applause; and you have my Authority to make the attempt; in any manner, and at such a time, as your own judgment shall direct.

I am fully perswaded, that it is unnecessary to caution *you* against offering insult or indignity to the persons of the Prince, or Admiral, should you be so fortunate as to capture them; but it may not be amiss to press the propriety of a propr line of conduct upon the party you command.

In case of success, you will, as soon as you get them to a place of safety, treat them with all possible respect, but you are to delay no time in conveying them to Congress, and reporting your proceedings with a Copy of these Orders.

Note: Take care not to touch upon the ground which is agreed to be Neutral, viz from Newark to Raway, and four miles back.[45]

[44] The draft is in the writing of David Humphreys.

[45] On the letter sent, which was sold at auction in 1920, is an indorsement by Robert Gilmor that he secured this letter from Louis McLane, then United States Minister to Great Britain, who at one time showed it to the King (formerly Prince William Henry and then William IV, of Great Britain), who had remarked: "I am obliged to General Washington for his humanity, but I'm damn'd glad I did not give him an opportunity of exercising it towards me."

To BRIGADIER GENERAL ELIAS DAYTON

Morristown, March 28, 1782.

Sir: It is long since I have been extremely solicitous to cut off all communication with the Enemy as much as is practicable, and to regulate the affair of sending and receiving Flags so as to prevent all improper intercourse thro that channel; but not having yet been able fully to digest a plan for the purpose (the matter being now before the Commissioners) I can only repeat that it is my earnest wish, that the number of Flags which pass and repass may be as small as possible; and that every attention may be paid to prevent their being abused to illicit purposes. And in the mean time you will consider it as a positive standing Order, that no person coming from the Enemy's Lines in a flag of truce shall be permitted to land or remain on shore, or to go from us into their Lines without liberty is first obtained from the Executive of the State, the Secry at War, or myself; And indeed I have made it an invariable rule, that liberty should be obtained from the Civil Authority, previous to my granting passports for any Citizens, or Civil Characters to come within our Lines or go into the Enemy's. I am etc.[46]

To COLONEL TIMOTHY PICKERING

Morristown, March 28, 1782.

Sir: Upon the application of the Magistrates of Morris County in 1780, soliciting that repairs should be made to the Court House, which had been made use of as a Guard House, and considerably injured by the public service; I gave them encouragement, that the damages would be examined into, and such compensation should be made, as justice required and the state

[46] The draft is in the writing of David Humphreys.

of the public Finance would admit of. I have now to request, that you will cause the damages done by the public to that building to be estimated as equitably as may be, that measures may be taken, whenever the Finances of the Continent will allow of it, to repair the injuries, or make compensation in some other way. I am &c.[47]

To PRESIDENT JOHN DICKINSON

Morris Town, March 28, 1782.

Sir: I lately gave permission for two Vessels to proceed as flags of Truce from New York to Wilmington with Cloathing and necessaries for the British and Hessian Prisoners confined in Philadelphia and Lancaster. I thought proper to give your Excellency this information that such measures as you may think necessary, may be taken to prevent any improper intercourse between the Flags and the Inhabitants.

The Persons who have charge of the Cloathing &c. and who are named in the Passports will I suppose want Waggons to transport it to the places of delivery; they will pay the expences and I could wish that they might not be imposed on in this respect. I am &c.[48]

To THE SUPERINTENDENT OF FINANCE

Morris Town, March 28, 1782.

Dear Sir: Upon my arrival at this place, I found complaints that the Jersey Brigade had not been regularly supplied; and was informed by the Commanding Officer that the Person to whom the contract is farmed out, attributed this irregularity to the want of money; I accordingly called upon Mr. Logan.[49]

[47] The draft is in the writing of David Humphreys.
[48] The draft is in the writing of Benjamin Walker.
[49] John Logan, contractor in the State of New Jersey.

the Subcontractor (and only ostensible character here), to give me his reasons in writing why the troops were not more regularly furnished with provisions. Altho his Answer does not appear to be very accurate, or to inform from whence the want of Money originates; I thought it my duty to inclose it to you; especially as I am informed the New York Brigade, has not been so regularly supplied as the Jersey Troops; and as I know it is your fixed determination to make good the terms of the contract on your part, and to compel the contractors to comply with it punctually on theirs, in such a manner as that there shall not be the least ground for complaint in the Army. I have the honor etc.[50]

*To MAJOR GENERAL HENRY KNOX

York Hutts,[51] March 30, 1782.

My dear Sir: You are too well acquainted with my opinion of certain characters in this State, especially one whom I am told is now an attendant on you at Elizabeth Town, to need a repetition of it at this time; but I wish it were possible for you to guard your colleague against the arts, and the disadvantages which certainly will result from a free intercourse of Sentiments with the person I allude to, on points, the knowledge of which, can avail the B. Commissioners.

I have every reason short of positive proof, to believe the person here meant, is a traitor to this Country; that he is in pay of the enemy; and that every piece of information which he can extract from Mr. ———[52] will be communicated to the Comrs. on the other side, judge then how far you will be able

[50] The draft is in the writing of David Humphreys.
Washington left Morristown on March 28, and was at Pompton March 30. He passed through Ringwood on the way to Newburgh, which he reached March 31.
[51] The draft has "near Pompton."
[52] Gouverneur Morris.

to carry points that depend upon secresy, address, and good management.[53]

You will readily perceive that this is a confidential letter, written for the best of purposes. I need not add how much I am etc. [MS. H. S.]

To MAJOR GENERAL HENRY KNOX AND GOUVERNEUR MORRIS

Pompton, March 30, 1782.

Gentlemen: Your favor of yesterday's date came to my hands just as I was leaving Mr. Lots[54] house; your Messenger came on with me to be the bearer of this.

Altho the information I had recd and communicated in my Letter of the 28th that a number of people intended coming over from the Enemy's Lines under the idea of the cessation of hostilities, might not be well founded when it is understood of characters indiscriminately friendly as well as unfriendly to our interest, and its utmost extent may not be well founded; yet I thought there was sufficient ground for taking precautions to prevent an unlimited opportunity for that kind of intercourse, which has ever been considered as greatly detrimental to us. For in the first instance, I know that no Persons could come out except by permission, and in the next place, I was well persuaded that none could obtain permission from the British General or Admiral, who were considered as violently opposed to their interests, and consequently that the greater part of those who should come without any public business, would be sent for illicit or insidious purposes; And on the

[53] At this point the draft, which is also in the writing of Washington, has the following, which was omitted in the letter sent: "You will be, I have no doubt, attended by other persons of similar characters; but none, for obvious reasons, so dangerous."

[54] Abraham Lott.

other hand, it was evident, we could not (after countenancing such communication) on our part restrain the ignorant, the designing, or the disaffected from going to Elizabeth Town and conversing or negotiating any private matters with them without interruption.

Notwithstanding there might be some advantages resulting from the measure at this time, and altho there is less danger of the Enemy's seducing the Citizens of America, than at any former period, yet perhaps there never was an occasion, when the Mischiefs arising from illicit commerce, and improper transferences of property ought to be guarded against more rigidly than at present. I might also mention, that every new interview and channel of intercourse tend insensibly to wear off the sentiments our people formerly entertained of the Enemy, and to substitute different dispositions and passions in the room of them.

These were some of the reasons which induced me to write to you Gentlemen on this subject, and in which it appears to me there is considerable weight; but as you on the spot will be able to judge much better of the propriety of the measure than I can at a distance, and as I have the highest opinion of your judgment, I shall confide very much in your discretion, and that whatever indulgences may be granted Measures may be taken as far as may be to guard against the evils, I had apprehended. I have the honor etc.[55]

To COLONEL TIMOTHY PICKERING

Head Quarters, Newburgh, April 1, 1782.

Sir: I received on my way from Philadelphia your favor of the 23d of March respecting the allowance of Servants to Officers

[55] The draft is in the writing of David Humphreys.

in your Department. I have taken the earliest opportunity of communicating to the Secry at War my sentiments on that Subject; and am etc.[56]

*To MAJOR GENERAL ALEXANDER McDOUGALL

Newbourg,[57] April 1, 1782.

Sir: Majr. Genl. Heath has made no application for leave of absence. The other parts of your letter (of this date) I shall be better able to decide upon when the reasons and charges which are proposed as the subject of another letter are exhibited. I am etc.

*To REVEREND EZRA STILES[58]

Newburgh, April 1, 1782.

Sir: On my way from Philadelphia to this place, I had the pleasure to receive your favor of the 20th. of March, covering an Oration delivered by Mr. Tutor Meigs[59] on the surrender of Lord Cornwallis. I entreat you will make that Gentleman sensible of the high gratification I have received from his ingenious performance; and that you will be convinced of the ardent passion I have for the promotion of the cause of Literature in general, and especially of the pleasure I feel in the encreasing reputation and utility of the *Seat of Learning* under your immediate direction. With every sentiment of personal regard etc. [H. S. P.]

[56] The draft is in the writing of David Humphreys.

[57] The headquarters at Newburgh were in what is known as the Hasbrouck House, which had been built by Jonathan Hasbrouck in 1750, who added the western half of it in 1770. Jonathan, who died in 1780, was a grandson of Abraham Hasbrouck, one of the founders of New Paltz.

[58] President of Yale College.

[59] "An oration pronounced before a public assembly in New Haven on the 5th day of November, 1781" by Josiah Meigs. (New Haven: 1782.) A copy of this oration is in the Library of Congress.

To JAMES LOVELL

Head Quarters, Newburgh, April 1, 1782.

Sir: I thank you for the trouble you have taken in forwarding the intelligence which was inclosed in your Letter of the 11th of March. It is by comparing a variety of information, we are frequently enabled to investigate facts, which were so intricate or hidden, that no single clue could have led to the knowledge of them in this point of view, intelligence becomes interesting which but from its connection and collateral circumstances, would not be important.

I am much obliged to you, for your good wishes and am etc.[60]

To THE SECRETARY AT WAR

Head Quarters, Newburg, April 1, 1782.

Dr Sir: I have to reply to your favor of the 26th March which was handed me on my way to this place.

When the matter respecting the number of servants to be allowed to the Officers of the Army, was taken up by the General Officers, If I am not mistaken, it was the general Sentiment that the indulgence ought to be confined to the Officers of the Line, that as the Staff were in general allowed a pay superior to them, they ought to provide themselves with Servants and receive therefor the allowance of Cloathing &c regulated by Congress. It was upon this principle the regulation was made, and I cannot help thinking that if we depart from it, instead of lessening the evil we have increased it, for if the indulgence is granted to any one of the Staff Departments it must be granted to all and the object of the regulation is then entirely lost.

[60] The draft is in the writing of David Humphreys.

Whether necessity will oblige us to this, you Sir must Judge and make the necessary regulation accordingly.

As I passed the Artillery at Burlington Colo Stevens informed me that the Men who were taken from the Regiment and employed as Artificers had formerly been promised some compensation for their extraordinary Services and that those promises having never been complied with, they grew dissatisfied and it was with great reluctance that they continued to work: their services are very important and motives of policy as well as Justice requires that some trifling compensation should be paid them to encourage them to continue; their number is but small and I suppose a half Joe given to each of them would answer the purpose.

Genl. Smallwood writes me that he has near two Hundred Men who want Cloathing and Equipment to prepare them for Service and that it would favor the Recruiting Service greatly, if Cloathing could be furnished the Recruits as they are raised. I would beg leave to recommend it to you to send on such a supply as our circumstances will afford. I am &c.

P. S. I am not certain whether those Officers of the Staff who have rank in the Line were not to be allowed Servants agreable to that Rank: I think they were but wish Genl. Hand Baron Steuben Gen Knox or any of the Genl. Officers before whom this matter came and who may be in Phila. could be enquired of respecting the Sentiments that governed at the time.[61]

*To COLONEL MATTHIAS OGDEN

Newburgh, April 2, 1782.

Dr. Sir: After I wrote to you from Morris Town, I received information that the Sentries at the doors of Sir Henry Clinton's quarters were doubled at Eight O clock every night from

[61] The draft is in the writing of Benjamin Walker.

the apprehension of an attempt to surprize him in them. If this be true it is more than probable the same precaution extends to *other* personages in the City of New York, a circumstance I thought it proper for you to be advertized of.

It is of great importance that I shou'd know the exact strength of the enemy's Corps in New York and its dependencies, and how they are disposed of. Either of the persons whose names you mentioned to me when I was at your house can, if they are inclined and would be faithful, give very good information in these matters; and it is very much my wish that they should do it speedily and with accuracy.

The list which you, and another which Colo. Dayton sent me sometime ago, were both incorrect as some Corps were inserted that were in the West Indies and others omitted which were known to be here. No man in the Military line, of common abilities and who has access to New York, can possibly be at a loss to know the total number, and the names of the Corps in the department where he himself is. To ascertain the strength of each, I acknowledge is more difficult; but by no means impracticable with a little address, to accomplish in a short time. To keep me regularly advised of the Enemy's strength, and how it is disposed of; of their reinforcements, and detachments, and of the state of the Kings Ships in and belonging to the Harbour is of great importance, and it is my earnest wish that you would impress this upon the persons in whom you seem to place confidence, urging them to be pointed, regular and accurate in all their communications. No service can be greater than this, if it is well performed; these, with an acct. of the nature and progress of their public works is of infinite more consequence than all the chit-chat of the Streets and the idle conjectures of the Inhabitants respecting the policy and mode of carrying on the War, &ca. I am etc.

GENERAL ORDERS

Head Quarters, Newburgh, Thursday, April 4, 1782.

Parole ———. Countersigns ———.

The Commander in Chief having returned and resumed the Command of the Main Army, presents his thanks to Major General Heath and the Troops which have been employed under his orders, for having preserved the important Posts committed to their Charge and covered the Country so successfully against the depredations of the Enemy during the Absence of the General. All the present Arrangements of Command and interior regulations of the Army will continue in force unless where alterations are made by some particular order for the purpose.

The General proposes to review the whole Army by Brigades as soon as conveniently may be. On the days appointed for the review all the men are to be present with their Corps except such as are prevented by Detachments, Sickness or other Sufficient cause. Accurate regimental Rolls are to be exhibited on the Occasion and all absentees Satisfactorily Accounted for. The first Massachusetts Brigade will be reviewed on Saturday the 6. Instant at eleven oclock A. M. The 2d Brigade on Monday and the 3d on the Tuesday following at the same hour.

The Honorable the Congress has been pleased to pass the Following Resolve.

By the United States in Congress Assembled March 19th, 1782.

On a report from the Secretary at War. Resolved, That so much of the Act of Congress of the 30 of September, 1780, as establishes the pay and rations of the regimental surgeons and their mates, be, and hereby is, repealed: That in future the pay of a regimental surgeon shall be fifty-nine dollars per month, and that he be entitled to draw three rations per day, and forage as heretofore; and that pay of a regimental surgeon's mate be in future forty-two dollars per month, and he be entitled to two rations per day.

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburg, April 4, 1782.

Dear Sir: I reced your favor of Yesterday with the News paper inclosed.

The very high Wind this morning has determined me to defer going to West Point; I therefore return the Barge which need not be sent up again as my own will be fit for use tomorrow or next day. I am etc.[62] [MS.H.S.]

To THE OFFICER COMMANDING AT OR NEAR STAMFORD[63]

Head Quarters, Newburgh, April 4, 1782.

Sir: You will be pleased to grant Flags of truce to Mr John Lister, Mr. Jacob Hendrickson and Mrs. Jacoba Carman, agreeably to the permission of His Excellency Governor Clinton which will be handed to you herewith. I am etc.[64]

To LORD STIRLING

Head Quarters, Newburgh, April 4, 1782.

My Lord: Having been informed that the Court Martial for the trial of Major General McDougall, whereof your Lordship was appointed President has been hitherto prevented from sitting, by Challenges having been made to the President and some of the Members of the Court; and finding no Rule established in our service for the determination of the matter; I shall

[62] In the writing of Benjamin Walker.

[63] Maj. Hugh Maxwell.

[64] The draft is in the writing of David Humphreys.

On or about April 4 Washington granted a passport to Mrs. Francisco Pitner and her daughter, with their baggage, to come out from New York to reside with her brother-in-law, Dr. James Latham. The draft of this passport is in the *Washington Papers*.

be constrained to submit the decision of the point in question to Congress or a Board of General Officers; but as a reference to the former would occasion considerable delay (if the present prosecution is to be suspended in the interim), and as it would be impracticable at this time, to have a determination in the other mode, by reason of the absence of many of the General Officers; I would take the liberty to propose, whether it might not be for the good of the service (without entering into the principles of the main question at all) for your Lordship to hint a desire of being excused from sitting on the Court Martial. The business might then proceed without farther embarrassment; And this need not be considered as forming any Precedent, or affecting the merits of the matter in dispute in any way whatever; Otherwise I fear some new difficulties may be involved, by the inevitable delay, which will be occasioned before a decision can be had as to the mode of practice in case of Challenges.

I beg your Lordship will favor me with an Answer as soon as is convenient, and believe that I am etc.[65]

*To MRS. CATHARINE SCHUYLER[66]

Newburgh, April 6, 1782.

Madam: I have been honored with your favor of the 2d Instt. as it is your wish to retain the old guard in preference to the New one ordered, I will direct Genl. Clinton to suffer them to remain till further orders from me, or till circumstances may render it necessary to recall them.

Mrs. Washington joins me in best respects to you, Mrs. Hamilton &ca. I am etc.

[65] The draft is in the writing of David Humphreys.
[66] Wife of Philip Schuyler (née Van Rensselaer).

GENERAL ORDERS

Head Quarters, Newburgh, Sunday, April 7, 1782.

Parole ———. Countersigns ———.

The Tryall of Major General McDougall having been delayed by his objecting to the president and some of the Members of the Court Martial which was constituted for the purpose of trying him; and there being no rule yet established by our Military Code of Laws by which the right or limitation of Challenges is ascertained; but the President and Members excepted against having expressed a desire to be excused from that duty, It is therefore ordered that Major General Howe Preside at the said Court, and that other Members be appointed in the places of those who have been Challenged and declined Serving, as also of those who may be absent. The Court will assemble at West Point or some convenient place in the vicinity of it on Wednesday next. The Commander in Chief will review the first and Second Connecticut Brigades on Thursday next at eleven oClock.

To BRIGADIER GENERAL JEDIDIAH HUNTINGTON

Head Quarters, Newburgh, April 9, 1782.

Dear Sir: Colo Trumbull handed me your Favor of the 30th ulto. Mustering Officers for the several rendezvous within the State of Connecticut, will be sent on by Colo Swift, agreeable to your Request.

It will doubtless be for the Benefit of the service to have suitable Officers and Serjeants to conduct the Recruits to Camp; but as no particular provision appears to be made by the Resolutions of Congress, I am at a Loss how the Expence which will be incurred by this mode, is to be defrayed; unless it may be

comprehended under the general Expression of the States supplying the respective Recruits untill they reach Camp, and the Individual States take it upon this Ground. You will be pleased to be particularly Careful on this Head. The State of the public Finances requires that we manage them with the greatest œconomy, and the Military Chest can afford no Money for the support of this Expence. I am &c.[67]

To LIEUTENANT COLONEL COMMANDANT JEREMIAH OLNEY

Head Quarters, Newburgh, April 9, 1782.

Sir: Your two letters of the 26th of Febry and 19th ulto. have been received.

I am so well persuaded of your Care and Attention to the Business committed to your charge, that no Arguments are needfull to press your utmost Diligence.

The Recruits as they are forwarded, may be directed the nearest Rout to peekskill, where on their Arrival, they will report themselves and receive further Orders.

The Time of your comg on to Camp dependg on your Success in Recruitg, and other Circumstances not as yet decided, you will be duly noticed of the period at which you are to join your Regiment. I am &c.[67]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburgh, April 10, 1782.

Dear Sir: His Excellency has received your Letter of this date by Major Tallmadge, and has given it in charge to me to inform you he has no objection that the Detachment under Major Maxwell should continue at Stamford untill the 25th Inst. by

[67] The draft is in the writing of Jonathan Trumbull, jr.

which time he hopes the State Troops will have arrived,[68] and beyond which, the Troops cannot be dispensed with from their Corps. The Gen desires you will therefore be pleased to give peremptory Orders that they shall return accordingly. I have the honor etc.[69]

To EZRA LUNT

[April 10, 1782.]

Sir: You will upon application from the Regimental Paymasters of the Massachusetts Line, deliver them such Species and quantities of Clothing as shall be directed in General Orders, taking temporary receipts for the same; And when it is finally determined whether the Troops shall receive the Clothing through your hands, or from the Clothier General, The proper persons shall account to you for what you deliver in consequence of this Order. I am &c.[70]

GENERAL ORDERS

Head Quarters, Newburgh, Wednesday, April 10, 1782.

Parole ———. Countersigns ———.

The regimental Pay Masters of the Massachusetts Line will apply immediately to Mr. Lunt their State Clothier for as many Uniform Coats as will complete the respective Regiments; and put them into the hands of the regimental and other Taylors employed by the public, that they may be fitted to the men without loss of time.

The Commanding officers of Regiments in the Massachusetts Line will be pleased to determine by Lott or otherwise

[68] The militia had not arrived in any number and the inhabitants of Stamford feared a lack of protection when the Continentals left.

[69] The draft is in the writing of and is signed "D Humphrys ADC."

[70] A contemporary copy is in an unidentified writing.

which four Regiments shall be compleated with Breeches from the Supply in the hands of their State Clothier, The pay masters of the Regiments to whose lott they fall will apply and receive them with their Coats; The remaining regiments and the Connecticut Line will make application to the assistant Clothier General for the Cloth and Trimmings for their Breeches.

The General is exceedingly concerned to observe the distressed State of Several Corps for the want of clothing. He hopes the imbarrassments they have laboured under on that account are nearly removed, he earnestly entreats and exhorts officers of every discription to use their utmost exertions to have the clothing finished and distributed as early as possible, and particularly that they will pay the greatest attention to have every article exactly Suited in Size and shape to the individual for whom it is designed, Nothing can be more essenttial than this to the good appearance of the Troops and nothing more detrimental than the want of it.

All deserters and persons coming from the Enemys lines are to be sent immediately to Head Quarters.

*To BRIGADIER GENERAL MOSES HAZEN

Newburgh, April 10, 1782.

Dear Sir: Your letter of the 26th of March from Lancaster came very safe, and I thank you for the sentiments contained in it; which appear to me to be well digested, and the result of close thinking. I can only repeat what I observed to you at Philadelphia, that the end of all these enquiries is to obtain a perfect knowledge of the vulnerable parts of the enemy; that when the means of attack are unfolded to me, and put into my hands I may know how to direct them. Upon this principle it is I wish to have your answers to the following quæries, most of which have resulted from your letter.

1st. How far is the enemy's advanced Post at Detorms Mills on Yamasco Rivr. from St. Dennis; From St. Johns, and from Sorrel?

2d. If the Road is directed to St. Dennis how far will it (in the nearest place) leave St. Johns on the left?

3d. Will not a road West of the Green Mountain have its left flank much exposed to any force which may be Embarked on the Lake? and will not the communication be open and exposed that whole distance, and even from Hudson's River, to the Indians in the vicinity of Niagara? Is it not probable that as these Indians (the Six Nations I mean) have already joined the enemy that they will continue to aid them?

4th. What kind of a Country will this road, if opened, pass through? What would be the difficulty of opening it? and what would be the general distance of it from lake Champlain?

5th. Would it not be better to pass up Hudsons river to Fort Edward, from thence to Wood Creek, and from thence to Ticonderoga or Crown point (establishing a Post at one or the other of those places for the benefit of Water carriage to it) than to March by the way of Benington to Manchester?

6th. How far from St. Johns, and at what place would the two Roads unite?

N B. By Hollands Map it does not appear to be more than 45 Miles from Lake Champlain, North of Otter Creek, to Co'os, and that the Roads from those two points would continually incline towards each other till they formed a junction near the Canada line at, or above the No. Et. end of Michiscoui bay. But as Maps which are not laid down from actual Survey are deceptious, and Swamps or Mountns. not accurately defined render even those that are uncertain I should be glad to have your opinion upon the two quæries last stated.

7th. Is it not probable that the enemy, if they find a force advancing into the Country which they are unequal to oppose, will destroy all the Grain and forage (as well as Mills) which cannot be removed that we may derive no benefit from them?

8th. Does Lake Champlain always freeze, so as to compel the Armed Vessels to lay up, during the Winter Season? What port is it likely they will go into during the Frost in case of our having a Superior force in Canada at the time of it? And can these Vessels be secured against an Enterprize while they are fast in the Ice?

9th. If there should not be a co-operation by Sea, thereby preventing reinforcements to the British in the Spring; as also supplies of Provisions, Ordnance Stores, &ca., what chance is there of reducing Quebec with the Garrison that now is, or may be thrown into it?

10th. If the enemy remain in possession of so important a Post, how is the Country to be held without maintaining a force at least equal to theirs? And can this be done? or is it not more probable that we shall be obliged again to quit the Country after having incurred a heavy expence and involved our friends in inevitable ruin?

Your opinion respecting the uselessness of the British fleet in the Conquest of Quebec, drawn from the immediate surrender of that place after the battle with Montcalm and, the Investiture of it, is, in my judgment founded upon wrong principles; the true light to consider it in, I think, is this: The field was lost by the French. The Town (by Land and Water) was Invested by the English. The hope of succour was cut off, and their resources were at an end; to what purpose therefore was opposition? But supposing the French then, or the British now to be in possession of the Works with a sufficient, or even such

a Garrison as is in it at present that they were well furnished with provision and Stores to carry them through the Winter; and knew that the River St. Lawrence was open to them; what would, or probably will, be the case under these circumstances?

It never was intended that your Regiment should continue longer upon the duty in which it is now engaged than till the opening of the Campaign. Whenever therefore the Troops quit their respective places of Cantonment, that Regiment, for aught I know to the contrary, as well as others, will be drawn into the field. I am etc.

To THE SECRETARY AT WAR

Head Quarters, Newburgh, April 10, 1782.

Dear Sir: I have devoted almost my whole time and attention since leaving Philadelphia to reviewing and examining into the particular state of the Troops which compose the Army, under my immediate command. It gave me equal surprise and concern to find that several Corps had not been able to get the new Cloathing compleated, so as to be delivered to the Soldiers, and that the men were actually in the most naked and distressed situation that can be conceived. Under these circumstances, I could not hesitate, to Order the Uniform Coats and Breeches in the hands of the State Clothier of Massachusetts to be immediately issued and to press the completion of the Cloathing by every possible means. I inclose you the Copy of my Order to Mr. Lunt, by which you will observe the mode of delivery or transference is yet to be decided.

And now that I am speaking of Cloathing, I conceive it necessary for you to be informed, that there will be a very considerable deficiency of *Hats;* through the want of which the beauty and uniformity of the other Articles will be in a great

measure lost (whenever they shall be completed, which I hope will be effected in a few Weeks) and the Troops can never make a military appearance. Let me entreat that the Clothier may be enabled to procure immediately a quantity sufficient to make up the deficiency, that the Army may once be cloathed in complete uniform.

From the present condition of the Army in the Article of Shoes, the small quantity on hand, and the continual and great consumption of them, I am also under very painful apprehensions that the Troops will again be reduced to suffer the same calamities they have formerly experienced and the service be impeded on that account. it is therefore my earnest desire, that such early and effectual measures may be adopted respecting the Contracts for shoes, as will prevent the evils above mentioned.

You will recollect that I mentioned in my Letter of the 20th of Janry. the subject of Summer Cloathing, and communicated my wish that it might be in readiness for delivery by the 1st of May, that period is now near at hand. I request to be made acquainted in what state of preparation the summer Cloathing is, and when it may be expected to be issued. I am informed by the Asst Clothier at this Place, a very considerable quantity of Cloth now in the Store, proper for overalls, is prevented from being made by the want of thread; and that the completion of the Woolen Cloaths is likewise delayed for the want of metal suitable to make Buttons for them.

I am extremely sensible, from the late deranged state of our affairs, that it was not possible, for the irregularity of the issues of Cloathing to be prevented at once, but cannot at the same time, forbear hoping and expecting that more regularity and system may be introduced in future; for this purpose, I think it highly necessary, that provision should be making at this very

moment, for the Cloathing of the Army the next Winter; as I observed very fully in my Letter of the 20th of Janry. and which I beg leave to recommend again in the most earnest manner. I have the honor etc.[71]

*To BARON STEUBEN

Newburgh, April 12, 1782.

Sir: The propositions of Count Beniowsky which you put into my hands for consideration, I have read, and beg leave to observe thereupon, that the utility of his plan for introducing a Legionary Corps of Germans into the Service of the United States of America, depends, in my opinion, upon the Political state of Affairs in Europe, the probability of the Wars continuing, and the mode of conducting it. As also, on the time which will be required to bring this Corps into Action.

Of the first I have not the means of judging, but I think the second is not so problematical as to induce Congress to reject a contract, which with some alterations, and a surety of receiving the Men in twelve Months from this date, may be attended with considerable advantages.

Political considerations must, no doubt, have their influence in determining upon a plan of this nature, and magnitude, and there may be an impropriety in my hazarding an opinion, too pointedly, on the policy of it. but, at your request, and the desire of His Excellency the Minister of France, I shall offer my sentiments on the several articles in the order they stand, in the plan before me.

[71] The draft is in the writing of David Humphreys.

On April 10 Washington wrote also to Knox, inclosing an extract of a letter from Gov. Benjamin Harrison, of Virginia, on the subject of heavy brass cannon belonging to Virginia which that State was willing to exchange for an equal number of pounds of field artillery: "I wish you to take up the matter so as to get them in our possession as quick as possible." The draft of this letter is in the *Washington Papers*.

The expence of 518,000 Levres for raising, cloathing, Arming, equiping, and transporting to America, a Corps of 3483 Men is moderate indeed, but the

First Arte. Is too indefinite, as there is no knowing what may be comprehended under it. and the

Secd. Arte. May, ultimately, make this Corps exceedingly expensive, and I do not think it can, or ought to be agreed to, so far at least as respects the Non Commissiond Officers and private Soldiers.

3d. and 4th. Articles I think reasonable and proper. So is the 5th. Article, if I comprehend the true import of it, viz, that no pay Shall be drawn except for those who are actually in service, and shall appear on the Inspection or Muster Roll's; but to effect this, there must be an assignment of pay to the different grades of Officers, and to the privates, as the 8th. Art. requires a lumping sum for the pay and Subsistance of the whole Legion; and the 9th. a further Sum for the Staff thereof.

Art. 6th. If confined to the recruits which may be necessary to compleat the Corps from time to time (after it is established and in the actual Service of the United States) would be reasonable, and it may be necessary to advance the three Months half pay for the purpose mentioned; but, if it is intended as a fund for defraying the expenses of the passage of the Legion in the first instance, I do not believe that the present finances of the United States could afford such an advance, or, that Congress would make it, unless the Men could absolutely be insured.

Art. 7th. If Count Beniowsky should be required to help his Legion compleat, and the recruits intended for that purpose should be taken on their passage, he ought, I think, to be allowed full pay for those which are actually taken. Provided a suffit. convoy is obtaind for them; without which the hazard

would be too great, as there can be no doubt of an attempt on the part of G. B. to intercept them; and six months to replace them, is as short a time as can well be asked.

Art. 8th. and 9th. Are, in my opinion, inadmissible; because it would be giving a certain quantum of pay and subsistance pr. Month to a Corps which may by Deaths, desertions, and other casualties, be rendered very incompleat; it is, besides, repugnant to the ideas I had conceived of the equity of the 5th. Article, and would have a tendency to place the interest of Count Beniowsky and that of the United States in opposite Scales; which policy forbids, tho' I am persuaded no improper motives cd. influence the conduct of the Count.

Art. 10th. It would undoubtedly be proper, that the Horses which may be wanted for the Cavalry and Artillery should be provided at the cost of the United States; But I shall add, in my observations on this Article, that if the Enemy have in contemplation to change their mode of conducting the War, and mean by establishing strong Posts to commence a defensive one by Land, we shall have but little occasion for Cavalry, consequently the number of Squadrons (which are designed to compose the Legion) ought to be reduced, or, which may be still better, an express stipulation made with the Dragoons that they shall act as Infantry, or Cavalry, not only temporarily but permanently, as circumstances may require.

Art. 11th. I think 24 Livres would be a moderate demand for each recruit; but where is the propriety of allowing 50 livres for every Man that is killed? rather than both should be established as a Recruiting fund, would it not be better to encrease the former? To compleat the Legion every Six Months is as often as could be expected; more I fear than would be accomplished.

Arts. 12, 13, and 14th. are quite reasonable and proper.

Art. 15th. How far this may interfere with the expectations of Colo. Armand ought to be considered, as he is not a little tenacious of the rights of the Corps he commands.

Taking the Oaths of fidelity and Allegiance will be the natural consequence of Commissions and employments.

A pressure of other matters would not allow me to be more explicit; the sentiments I have offered are candid and free, tho' they may be a little indigested. With much esteem etc.

To THE OFFICER COMMANDING THE SAPPERS AND MINERS AT BURLINGTON

Head Quarters, Newburgh, April 12, 1782.

Sir: Immediately on the Receipt of this, you will be pleased to march with the Corps of Sappers and Miners under your Command to the Garrison of West Point, where you will receive further Orders. I am etc.[72]

To THE SECRETARY AT WAR

Head Quarters, April 12, 1782.

Dear Sir: I have this Moment received your two Favors of the 8th instant pr. Messrs. Edwards and Phelps.[73]

Respecting the Requisitions of Colo. Carrington, as you are at the Fountain of Intelligence, you are probably better informed than I am and therefore more able to decide on those Estimates than I can at present determine.

The Nature of our Operations, you are sensible, must depend greatly on the Views of the Enemy and the particular Mode of War which they shall in future adopt. Whether an

[72] The draft is in the writing of Jonathan Trumbull, jr.

[73] Timothy Edwards and Oliver Phelps, of Massachusetts, two of the contractors for supplying the "moving army" with provisions.

Evacuation of Charlestown will take place or not, or whether the Enemy will cease their Efforts in whole or in part in the southern Quarter, I am unable to decide; and agreeable as this Determination shall fix, must be my ultimate Resolutions.

At present, my Expectations respectg the Army necessary for the Southern Department, do not extend beyond the Troops composed of the Lines of the States South of and including Pennsylvania, and Armands Corps, with the Recruits raising in those States, and untill I am better informed than I am at this moment, I shall not be anxious that the Recruits should be hurried on, least they might be subjected to an unnecessary March.

From the above Observations you will perceive the State of Uncertainty in which I am placed. Armands Corps, I think should be completed to its full Number of Horse or not, according to the Necessity there may be of opposing the Enemy in that particular Mode of War; should they pursue the plan of War that has been lately imagined and take up the Desultory naval War, we shall have less Occasion for the Horse. Untill we are better informed of the Operations of the Campaign, I can only say in general, that it will be prudent for us to be provided for the worst in every Instance, as far as our Circumstances will possibly permit. But in Case the Compleatg Armands Corps, should operate to defeat any other more important plan, I have no wish that it should take place at such Expence. I am &c.[74]

GENERAL ORDERS

Head Quarters, Newburgh, Fryday, April 12, 1782.

Parole ———. Countersigns ———.

The first Massachusetts Brigade will be inspected and Mustered on Monday next. The first regiment at 9 OClock, the 4th,

[74] The draft is in the writing of Jonathan Trumbull, jr.

regiment 11 o Clock and the 7th. at One o Clock, The necessary blank returns and Muster Rolls will be previously delivered them by the Inspector General. All guards and parties from that Brigade within a days March of Camp are to be relieved by the 2d Brigade, and no man to be absent from the Inspection that can possibly attend.

The general Court Martial whereof Major General How is President will assemble at West Point Tomorrow.

A list of all the Officers of the different Regiments and Corps digested in regimental order to be sent to the Adjutant Generals office as soon as possible.

GENERAL ORDERS

Head Quarters, Newburgh, Saturday, April 13, 1782.

Parole ———. Countersigns ———.

The Commanding officer of Engineers is without loss of time to lay before the Commander in Chief a State of the Works at West Point Together with an estimate of the species and quantity of Materials, and the Number of men necessary to put the Fortifications in a State of defence that the most essential repairs may be effected before the Army shall take the field. As it is the intention of the General that the Troops shall (as soon as the Season will admit) be drawn together and encamped in tents for the purpose of affording an equal Opportunity to every Corps for perfecting itself in discipline and Maneuvres.

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburgh, April 13, 1782.

Dear Sir: I send you inclosed a Copy of a Letter which I yesterday received from the Minister of War.[75]

[75] Secretary at War.

You will be pleased upon its Receipt to convene the principal Officers of the several Regiments, and collect their Opinion how far it will be agreeable to the Army that the Commutation mentioned should take place. I wish to make the Contracts as acceptable and easy to both parties as Circumstances will permit, and hope, from the Characters of the Undertakers, that this Contract will be conducted in such a manner as to give mutual Satisfaction.

The Opinion of the Officers on this Subject when collected, you will be so good as to transmit to Mr. Phelps at Grenville, who wishes to receive an Answer as soon as possible. With Esteem etc.[76] [MS. H. S.]

To PHILIP SCHUYLER

Head Quarters, Newburgh, April 14, 1782.

Dear Sir: The inclosed paper, consistg of Copy of a Letter from Mr Morris Copy of the Contract made between the Superintendt of Finance and Mr. Duer[77] for Supply of the Posts Northward of Poughkeepsie; Extract of Letter from Majr Genl Heath respectg Magazines of Salted provisions to be laid in for supply of sd posts, where necessary, and Letters from Mr Duer on the Subject, I have just received from the Financier with a Request which you will find contained in his Letter.

Your knowledge of those posts which are included within the Description of this Contract, is so perfect, and their relative Situation and Necessary provision so intimately known to you, that I take the Liberty to submit these papers to your Consideration, and to request that you will be pleased to make the necessary Determination respectg the Quantities of salted provisions which shall be kept at any of the several posts and the

[76] In the writing of Jonathan Trumbull, jr.
[77] William Duer, one of the contractors for supplying the Army.

periods to which they shall Extend. And also to agree with the Contractor and fix upon such Compensation as shall be tho't reasonable for the Services which he shall render, in Consequence of your Determination, over and above the Terms of his Contract.

If this Business should prove too troublesome for you to undertake, will you be pleased to fix upon and Authorize some suitable person for the purpose, and your Determination and Argreement in either Case, transmitted to me, will be conclusive and bindg on the Financier.

I am very sorry to give you this Trouble; but the full persuasion I have of your ardent Zeal in and readiness to serve the common Cause, I hope will apologise for the Liberty I take. I am &c.[78]

To ABRAHAM DAVENPORT[79]

Head Quarters, Newburgh, April 14, 1782.

Sir: I have just received your favor of the 12th Inst by Mr Baldwin, previous to which I had given direction for Major Maxwell[80] to continue with his Detachment at Stamford, until the 25 of April; I have now consented that he should remain there with his Command until the first of May; at which time he is positively to join the Army; as the state of the service will not permit Detachments to be absent beyond that period, on any account whatever.

I cannot but hope the State Troops destined for the defence of your frontier will have arrived before the first of May, because under whatever circumstances you may be at that time, it will be

[78] The draft is in the writing of Jonathan Trumbull, Jr.

[79] Of Stamford, Conn.

[80] Maj. Hugh Maxwell, of the Second Massachusetts Regiment. David Humphreys wrote him (April 14), by direction of Washington, that his detachment could remain at Stamford until May 1. This letter is in the *Washington Papers*.

impossible for me, consistent with the general Arrangements, to afford any further aid of Continental Troops. With great regard etc.[81]

GENERAL ORDERS

Head Quarters, Newburg, Monday, April 15, 1782.

Parole ———. Countersigns ———.

The officers appointed as Members of the General Court Martial whereof Major General Howe is president are to attend to that duty in preference to any other untill the business before them is finished.

To MAJOR GENERAL WILLIAM SMALLWOOD

Head Quarters, Newburgh, April 15, 1782.

Dear Sir: Your Favor of the 19th ulto came to Hand as I was on the Road from Phila to this place.

Immediately on my Arrival here, in a Letter I had Occasion to write to the Secty of War, I took the Liberty to mention your Request for Cloathg and Equipments for the Recruits of your Line, and desired him to send on such Supplies as our Circumstances will admit; you may expect to hear from him on that Subject.

As soon as the Rendezvous at which the Recruits are to be assembled, shall be fixed upon, you will be pleased to point out such active, intelligent Officer or Officers, as may be needed, for the purpose of Musterg, receivg and forwardg them to the places of their Destination, agreable to the Act of Congress of the 18th Decmbr and assign them to that particular Duty.

The Uneasiness which you mention to have Arisen in your Line on Acco of Pay, Is I fancy, built upon a mistaken Ground

[81] The draft is in the writing of David Humphreys.

no pay havg been lately given to the Troops of any State, from the United States funds; whatever has been given to any of them, has been by the Advancement of their particular States, and even this but in few Instances, and to very small Amount. As soon as the financier shall be enabled to take up the pay of the Army upon a general Scale, I trust you will find no Occasion for Complaint on the Score of Partiality but every State's Troops will receive their proportions agreeable to his Ability for Payment. I am &c.[82]

*To ARTHUR LEE

Newburgh, April 15, 1782.

Dear Sir: I have received your favor of the 2d. Instt. and thank you for the several articles of European intelligence contained in it. permit me to solicit a continuation of such advices as you may think interesting respecting the Military or political manœuvres of foreign powers.[83] Such communications will not only be a private gratification, but may produce public good; as a perfect knowledge of these matters will enable me to decide with more certainty and precision on doubtful operations which may be had in contemplation than I possibly can do without. With great esteem etc.

*COUNCIL OF GENERAL OFFICERS

Newburgh, April 15, 1782.

The Commander in Chief states to the General Officers

That, from the best information he has been able to obtain, the *regular* force of the enemy in New York, *at this time,*

[82] The draft is in the writing of Jonathan Trumbull, jr.

[83] Lee's letter of April 2 (in the *Washington Papers*) recounted political news entirely; but he also stated, on the authority of the Governor of Virginia, that De Grasse had completely defeated the British fleet, which was the direct opposite of the fact.

including their established Provincial Corps amounts at least to Nine thousd. Men.

That the City Militia, Volunteer Companies, Rangers, and some other small Corps in the Town, amounted by a report made to the Secretary of State[84] in the Winter of 1780 (when the enemy apprehended an attack on N York and were preparing for defence) to 3390 Men, exclusive of Sailors and Marines, and that this is the best criterion by which he can form a judgment of their present strength.

That the enemys force in Charles Town by the last information, and estimation of it, consisted of 3300 Men.

That the Garrison of Savanna in Georgia, he conceives, cannot be less than 700 Men.

That even among men of political knowledge and judgment a diversity of Sentiment prevails respecting the evacuation of the Southern States. That if this event should take place, and the whole force of the enemy shd. be concentred at New York, it will stand thus.

Regr. Troops now at N. Yk	9000
From Chas. Town	3300
Savanna	700
Regrs.	13000
Militia &ca. at N. York.	3390
Total	16,390

Under this state of the Enemys force the Commander in Chief requests the opinion of the Genl. Officers seperately, and in writing, upon the following hypothetical questions.

First. Supposing the enemys force at New York to be as above. That they retain possession of the Harbor of New York, and that, they have a Naval superiority upon this Coast.

[84] Secretary for Foreign Affairs.

Secondly. Supposing the same force; that they keep possession of the harbour; but loose their superiority at Sea.

Thirdly. That they shall have the same force in the City; but shall loose the command of the Water both in the harbour and at Sea.

Is there, it is asked, a probability in all, or either of these cases that we shall be able to obtain Men, and means sufficient to undertake the Siege of New York?

What efficient force will be necessary for the enterprise in the cases wch. may be deemed practicable? And what number of Militia ought to be demanded to secure this force? If the enemy should not re-inforce New York with their Southern Troops, and none should arrive from Europe, their force at that place will then be

Regulars	9000
Militia &ca.	3390
Total	12,390

The Commander in Chief propounds the same questions, identically, on this number as he did on the larger one (of 16390) and requests that they may be answered accordingly; numbers only making the difference of the cases.

That every information may be received, which is in the power of the General to give, to form a judgmt. on these questions, he adds,

That the Northern Army will (at present) be composed of the Regiments from New Hampshire to New Jersey inclusive, also of Hazens; Lambs and Cranes Regiments of Artillery; and the Sheldons Legionary Corps.

That the total number of R. and File in the above Regiments of Infantry, by the last Genl. return in his possession, amounts to [8005]; but from this the deductions incident to all services,

and peculiar to ours, are to be made, to come at the efficient strength.

That it is not in his power to inform what strength these Regiments will be brought to in season for an operation against New York; he can only [say], that every argument he was master of has been urged to the respective States to have them compleated to their full establishment.

That in case the enemy shd. evacuate the Southern States, the Continental Troops in that Qr., as far at least as North Carolina, will be ordered to rejoin the Main Army; but their numbers being small, and the March great, the support from them cannot be much. 2500 Men is the most that can be expected.

That in the month of [March] last, he apprised the States from Delaware Eastward, that the Plans, and operations of the Campaign might require a considerable aid of Militia; and entreated that the Executive of each might, to avoid delay, be vested with sufficient powers to order them out for three Months Service, to commence on their joining the Army. and.

That the French force on the Continent at this time, does not, he believes, exceed 4000 effective Men, whether any, or what further succours are to be expected from our Allies is as yet, unknown to him.

[The Comandr in Chief concludes the above State of Matters][85] with the following observation, that offensive operations, of whatever kind they may be (being generally the result of choice) ought to be undertaken with due consideration of all circumstances and a moral certainty of succeeding; for besides involving the Public in a heavy expence, wch. the situation of our Affairs can illy afford, disgrace and censure scarce ever fail

[85] Washington's original draft read: "This state of matters is concluded with the following etc."

to attend unsuccessfull Plans, while the enemy acquire spirits by, and triumph at our Misfortunes.[86]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, April 16, 1782.

Dear Sir: The Fish mentioned by the Secretary at War, are doubtless meant to be those of the Season, as Shad or Herring; whether Salted or fresh I cannot determine, perhaps both.[87]

On the subject of your request for leave of absence, Major General McDugal has so early as the first of this month entered his caveat against your obtaining it; his reasons are assigned in the inclosed copy of his Letter to me; which is transmitted for your observation.

I am unacquainted on what principles or by what Authority the Arrangement of the Captains of the Massachusetts Line has been established agreeable to the List you was pleased to send me. Whatever the principles may have been, I wish the matter may be satisfactorily conclusive and that no further uneasiness may subsist in the Line on account of the disposition of rank. I am &c.[88] [MS. H. S.]

[86] The words in brackets are in the writing of Jonathan Trumbull, jr. Washington's draft is marked by him for a different arrangement of the paragraphs: but the above order is that of the Varick Transcripts in the Library of Congress and also of the document sent to Major General Heath, which is in the Massachusetts Historical Society.

The opinions of the general officers in response to these queries were: Stirling (submitted April 20): Favorable to an attempt. Paterson (April 26): Was opposed, but inclined to think that in the event of the third contingency, the seige should be undertaken. Heath (May 6): Opposed. Howe (May 8): Difficult, but not impossible. Hand (May 9): Doubtful. Steuben (June 10): Impracticable. All the opinions discussed the problem at length and were, more or less, contingent upon the size of the attacking force. The possibility of raising the sufficient number of men was considered doubtful. The original opinions are in the *Washington Papers*.

[87] The fish were proposed by the contractors as a part of the ration. At a meeting of the field officers of the main Army, April 16, it was decided "that it will not be agreeable to the army to receive any fish as part of their rations." This paper is in the *Washington Papers*.

[88] In the writing of George Augustine Washington.

To THE SUPERINTENDENT OF FINANCE

Head Quarters, Newburgh, April 16, 1782.

Sir: Your Favor of the 3d Instant inclosing Mr Duers Contract, and papers relative thereto, I have received; and have transmitted the same to Genl Schuyler at Albany with a Request that he will see its Object fully attained. The intimate Knowledge of those Posts which Mr Duer is to supply, and his careful Attention to a rigid Oeconomy, the Necessity of which he is fully apprized of, renders him in my Opinion a very suitable person to be intrusted with your Commission.

Inclosed you will find a Letter to me from Lieut Colo Varick who is employed as Recordg Secretary of Head Quarters. The Subject I know will not be the most agreeable, and strongly impressed as I am with Your Situation respecting the public Monies, I should not trouble you, did I not know the Necessity to which Mr Varick is reduced, and the importance of his being furnished. I wish therefore you will be pleased to pay Attention to his Request at as early a period as may be. I am &c.[89]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburgh, April 16, 1782.

Dear Sir: I have received a Letter from the Secretary at War respecting the complaints which have been made against the Contractor for the Post of West Point, of which the following is an Extract.

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[89] The draft is in the writing of Jonathan Trumbull, jr. The date line is in that of Richard Varick.

On April 16 Trumbull sent to Brig. Gen. Elias Dayton "three Letters for Lord Fairfax and two others for the Reverend Denny Martin of Leeds Castle in Scotland which His Excellency requests You to send to New York by the First Flag." A copy of Varick's note is in the *Washington Papers*.

The terms of the Contract prescribe the mode of trial in cases of delinquency; it is wished that your Excellency would be pleased to take the matter up, and give the necessary directions for an Enquiry.

Mr. Sands (who says he is conscious of having in every instance demeaned himself properly) is willing to submit an investigation of the whole business to any impartial persons, not of the Army, who may be appointed for the purpose.

Mr. Morris, who is the Contractor, says it could never be supposed, that an issue of Salt should be made with salted provisions, nor can it be done; so that this will not come under consideration.

Altho the Copies of the Letters and Papers which have passed on this subject, have been transmitted to me; the matters in dispute do not appear to be stated together, in a manner sufficiently explicit to found an investigation upon; it is therefore my desire that the Charges against the Contractor may be exhibited in one point of view, in such a manner, as that the question of Duty on his part, and of right on the part of the Public, as grounded on the Contract itself, may be drawn into a fair discussion, and ascertained by an equitable decision.

It may not be improper to observe, that, at the same time, it should be the great object, to have the Enquiry instituted on such principles as that ample justice may be obtained for the Troops; No Matters unimportant in themselves, or foreign to the spirit of the Contract should be brought into disquisition, as any complaints not well grounded must of course recoil upon those from whence they originate.

I need not impress upon you, who are so well acquainted with the matter, the vast Utility of the Contracts to the Public at large, the great advantages which must eventually result to the Army from being subsisted in that mode, and the necessity of putting the execution of it on a just footing. These are objects of such interesting and momentuous consequence to the

service, that I shall spare no trouble or pains on my part, to have the business properly adjusted and executed. With great regard etc.

P. S. I have just recd. your favor of the 15th.[90] [MS. H. S.]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburgh, April 17, 1782.

Dear Sir: The enclosed state of Queries I transmit for your consideration and beg to have your observations thereon as soon as may be convenient; an early period will be most agreeable, as it is impossible for me to say how soon I may be obliged to make use of them. You will be pleased to communicate the same to Major Genl. Howe, and Brigadier Gen. Patterson, that I may also be favored with their opinions on the subject. [Let me add also Baron De Steuben, who I believe is at West Point.]

I have not yet seen the Contract of the moving Army, but am told by the Gentlemen concerned, that the Places for the Deposit of Magazines, are to be determined by me; as also what are to be deemed the Dependencies of West Point. That I may be enabled to decide on these two points, I shall be much obliged by your opinion and that of the General Officers abovementioned. In giving your sentiments on the former, many contingencies of the Campaign are to be taken into consideration; the latter may be ascertained with precision. I am etc.

PS. It is necessary to premise that, the Contracts for West point and its Dependencies, and the other for the moving Army, are in different persons, which creates the distinction, and the necessity of determining; which I am called upon to do.[91]

[90] In the writing of David Humphreys.

[91] In the writing of David Humphreys. The P. S. and also the words in brackets are in the writing of Washington.

*To WILLIAM FITZHUGH

Newburgh, April 17, 1782.

Dear Sir: Your favor of the 28th Ulto. came to my hands by the last Post. Inclosed is a duplicate of my Letter to Count de Grasse, which I hope will get to his hands, if the original, committed to the care of the Chevr. De la Luzerne, miscarried.

I am glad to hear your Son William is so well satisfied with the reception given him by Genl. Greene, with his appointment, and with the Country he is in. Cloathing has been sent on for the Southern Army, but they get dissipated and lost in the transportation.

I have no idea that any number of Men can be obtained at this stage of the contest, by voluntary enlistment, and fear we are only deceiving ourselves, and lingering out the War by attempting it. Our Battns., I am certain can never be compleated in this way to answer the purposes of the Campaign the consequence of which must be, that instead of following up our blows, we give the enemy time to recover, or, we must, to carry on offensive operations, have recourse to the ineffectual, expensive, and ruinous expedient of calling out Militia, which never did, nor never will answer any valuable purpose.

My best respects, in which Mrs. Washingtons are united, attend Mrs. Fitzhugh and I am with sincere esteem etc.

[N.Y.P.L.]

*To JOHN LEWIS

Newburgh, April 17, 1782.

Dear Sir: I have heard, and sincerely lament, the death of yr. Father;[92] and my concern is encreased by the information in your letter of the 24th Ulto. of his dying much indebted.

[92] Col. Fielding Lewis, of Fredericksburg.

So far as I am interested in the Lands which he has directed, by his Will, to be sold I consent to the disposal of them on twelve Months credit. The necessity however of selling them, at this time, is to be regretted; as Lands, except such as happen to be under peculiar circumstances must sell to a disadvantage when they are not in general demand, and when there is a dearth of money, especially those which have been, and may again be exposed to the invasion of the enemy, as is the case of the Lands purchased of Doctrs. Wright and Jones.[93] I mean this as a general observation, not to oppose it to the Sales you have in contempln. For I am convinced from experience, that Lands far removed from the proprietors of them, however valuable in themselves, are very unprofitable; and because I, as well as your Fathers Estate stand in need of the money which my part of them will fetch; when I say this, I take it for granted, that you do not mean to sell these Lands unless you can get the value of them, or near it; because this would not only defeat the end *you* have in view but do injustice to Doctr. Walker[94] and myself.

I have not a sufficient recollection of them (especially the Tracts in which Doctr. Walker holds a share) to describe any of them accurately. With respect to Norfleets, it is in No. Carolina, near the line, and upon the great road leading from Suffolk to Edenton; abt. 16 Miles from the former; which is, or was a place of very extensive trade; there ought to be (if my memory serves me) upwards of a thousand acres in the tract, for which, I think, we gave £1200 and sunk a great deal more by keeping it two or three years in our own hands. The Land is level, and I believe well timbered, capable of great improvement, there being upwds. of 400 Acres of exceeding rich and open meadow ground belonging to the Tract, a great part of which is, or was

[93] Dr. John Jones.
[94] Dr. John(?) Walker.

ditched, and in grass and other kinds of cultivation. The Lands purchased of Jones and Doctr. Wright lye betwn. Norfolk and Suffolk, 6 or 8 M from the latter and on or near Nansemond River. They are if I recollect right, well timbered and of good quality; level (as all the Land thereabouts is) and capable of being rendered exceedingly valuable. I do not remembr. what kind of buildings are on the last mentioned Tracts; the other (Norfleets) had a good dwelling House and Kitchen with Brick Chimnies, and a Barn; but as it is at least ten or twelve years since I have been in that part of the Country, great changes may have taken place since. A large slipe of the Meadow land has, I am told, been taken from us; whether by legal process, or not, I am unable to say.

I have directed Mr Lund Washington to furnish you with all the Deeds and other papers which may be in my possession relating to any of these Tracts. I pray you to give my best love to my Sister and the family. My Complimts. to Mrs. Lewis and believe that I am etc.

To THE SECRETARY AT WAR

Head Quarters, Newburgh, April 17, 1782.

Dear Sir: I have been favored with yours of the 9th. The same Observations I think will apply to Colo Sheldon's Requisition, as were made to you in mine of the 12th. respectg Colo Armands Corps. If the Circumstances of the Campaign (wch are yet to be known) should require the full Complement of Horse, we shall be as able perhaps to procure them some Time hence as at present. I am &c.

[P. S.] The subject of servants will be attended to, by the next conveyance.[95]

[95] The draft is in the writing of Jonathan Trumbull, jr.; the P. S. is in that of David Humphreys.

GENERAL ORDERS

Head Quarters, Newburgh, Wednesday, April 17, 1782.

Parole ———. Countersigns ———.

At a general Court Martial held at Carlisle by order of Brigadier General Irwine whereof Colonel Richard Butler is President.

John Harling, Soldier in the 2d. Pennsylvania Regiment, charged with deserting a Detachment from the same regiment at Lancaster and being since taken in the Service of the Enemy, was Tried and found guilty, in breach of the first second and third Articles, Sixth Section of the Articles of War and Sentenced (more than two thirds of the Court agreeing thereto) to suffer Death.

The Commander in Chief approves the foregoing Sentence.

At the same Court, William Campton, soldier in the 2d Pennsylvania Regiment, charged with Deserting from the same and inlisting in another Corps, was tryed, found guilty and sentenced to receive One hundred lashes on his bare back, to be inflicted in the manner following viz. 50 lashes the first time, 25 lashes the second time and the remaining 25 lashes the third day. Also Hugh Smith, a Recruit belonging to the Pennsylvania Line charged with having used Traiterous and disrespectful expressions against the United States tending to promote Desertion among the soldiery, was Tryed and found Guilty in breach of the first Article, second section and fourth Art. 6 Sect. of the Articles of War and sentenced to receive One hundred Lashes on his bare back.

The Commander in Chief approves these Two sentences and orders them to be put in Execution at such time and place as the Commanding Officer at Carlisle shall find convenient.

In future no man is to be discharged from the Army but by the Commander in Chief, when any men either from inability, or any other cause; are to be discharged they are first to be reported to the Inspector who will apply at Head Quarters where proper printed discharges will be given.

From this time untill further Orders no furloughs are to be granted but in very particular cases, when such exist, the Commanding Officer of the Regiment will apply through the Brigadier to Head Quarters and will be answerable that the case is extraordinary and absolutely requires the indulgence.

GENERAL ORDERS

Head Quarters, Newburgh, Thursday, April 18, 1782.

Parole ———. Countersigns ———.

The repairs most necessary at the post of West Point (agreeably to the report of Major Villefranch Commanding Engineer there) are to be sett about immediately and executed with the greatest dispatch.

The Company of Artificers lately raised under the direction of the Quarter Master General is immediately to be employed in this duty except such Men as may be indispensible for other services.

The Artificers from the line now with the Engineers are to remain with them till further orders, such others and the Number of Fatigue Men which may be Necessary to Complete the Works with despatch Major Villefranch is to apply to the Adjutant General for.

As it is essentially necessary that these repairs should be done before the Army assembles in the field the General desires and expects that the Commanding Officers of Corps will be particularly attentive that the Artificers they furnish are good, allowance is to be made to the Corps that have already furnished.

The Quarter Master General will furnish the Timber, boards and Nails called for by Major Villefranche.

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburgh, April 18, 1782.

Dear Sir: I have received your three several Letters of Yesterday.

I do not certainly recollect the reports of M Genl Lincoln on his Return from Boston, but have supposed that he took the necessary Measures to forward the recruitg service in that State. Indeed this appears to me to be the Case by Majr. Pettingells Letter to you; who says that Lieut Colo Badlam was appointed, by Genl Lincoln's Orders, to supersede him, as Superintendant for that State.

I inclose for your Information, a Copy of the Resolutions of Congress respectg. the recruitg. Service, which were regularly forwarded to Massa. What Resolutions that State have taken on the Consequence, I am unacquainted with; not having been favored with a Line from Govr Hancock since the transmission of the Resolves of Congress.

By the Doings of Congress you will see that the States are to point out the Rendezvous at which the Recruits are to be collected, and that Mustering Officers from the Army are to be sent to muster, receive and forward them. I cannot think that Genl Lincoln has made any Omission in any part of so important a Service; but least any Mistake may have happened. I think it will be very well for you to write to Colo Badlam, and give every Instruction that may be needfull to compleat the Business; the Recruiting Service is a point of too great Importance to suffer any Delay, or to be obstructed by any Impediment in our power to remove.

If Capt Bannister is not retained as a Mustering Officer, I think it will be very well to order him to join his Regiment.

The powder may be removed, under direction of Colo Crane as soon as possible. With much Regard etc.[96] [MS.H.S.]

To COLONEL RICHARD BUTLER

Head Quarters, Newburgh, April 18, 1782.

Sir: I have recd your favor of the 28th. March with its inclosures and now transmit you copy of the General Orders approving the several sentences of the Court Martial held at Carlisle.

I also inclose you a Petition and Letter, which will shew you that application has been made to me in behalf of Harling. I did not however chuse to determine finally on the matter but refer it to you. From a more particular knowledge of the circumstances attending the Affair and of the parties, you will be best able to Judge if Mercy can be extended to the Prisoner without prejudicing too much the public Interest.

I have only to repeat my request that you will Collect Equip and Discipline the Recruits and hold them in readiness to move when circumstances may require it as to the Artillery and Dragoons they ought to be held in readiness, it is probable the whole will move together. I am &c.[97]

GENERAL ORDERS

Head Quarters, Newburgh, Friday, April 19, 1782.

Parole ———. Countersigns ———.

The Commander in Chief, requests the General Officers, Commanding Officers of Brigades and regiments will assemble

[96] In the writing of Jonathan Trumbull, jr.
[97] The draft is in the writing of Benjamin Walker.

at Major General Heath's Quarters at 12 oClock this day or as soon after as may be, before 3 oClock on business of very interesting Concern to the Army.

To THE GENERAL AND FIELD OFFICERS OF THE ARMY

April 19, 1782.

The Commander in Chief submits the papers accompanying this, containg the Case of Capt Joshua Huddy[98] lately hanged within the County of Monmouth in N Jersey State, by a party of the Enemy, to the Consideration of the Genl Officers and Commandg Officers of Brigades and Regiments. And thereupon requests from them, seperately and in Writing, a direct and laconic Reply to the followg Queries: Vizt:[99]

1st. Upon the State of Facts in the above Case, is Retaliation justifiable and expedient?

2d. If justifiable, Ought it to take place immediately? Or should a previous Representation be made to Sir Hy Clinton, and Satisfaction demanded from him?

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[98] Of the New Jersey State artillery, according to the affidavit of Daniel Randolph, Apr. 15, 1782, sworn to before Brig. Gen. David Forman (who was also a judge of the court of common pleas of Monmouth County). He was captured at Tom's River by a body of Refugees on March 24; carried to New York and kept in irons until April 8, when he was put on board a sloop and carried to Sandy Hook and there confined on a guard ship until April 12. On that date Captain Huddy was hanged by the Refugees, who accused him of having killed the Refugee, Philip White. White, by Refugee affidavits, was killed on March 30, while Huddy was a prisoner in irons in New York. The first information Washington received of Huddy's death came in a letter from the Exchange Commissioners, Knox and Morris, at Elizabethtown, April 16, which was brought to the Commander in Chief by General Forman, who brought, also, sundry affidavits respecting Huddy's death.

[99] Heath's *Memoirs* state that the officers answered the queries in writing without conversing on the subject, until all the answers had been signed, sealed, and sent to the Commander in Chief. Twenty-five officers sent in their opinions and all 25 agreed that retaliation was "justifiable and expedient." Twenty-two were in favor of a representation to Sir Henry Clinton before acting. It was the unanimous opinion that the leader of the party of Refugees who had hanged Huddy should be demanded from the British and be made the subject of retaliation. The 25 opinions, dated Apr. 19, 1782, are in the *Washington Papers*.

3d. In Case of Representation and Demand, who should be the person or persons to be required?

4th. In Case of Refusal, and Retaliation becomg necessary, of what Description shall the Officer be on whom it is to take place; and how shall he be designated for the purpose?[1]

GENERAL ORDERS

Head Quarters, Newburgh, April 20, 1782.

Parole ———. Countersigns ———.

The regimental paymasters are to apply to the Assistant Clothier Genl. for such a Number of shoes as are actually wanting in the several regiments, the Strictest Oeconomy must be made use of in this Necessary Article.

The Armourers and men who have been employed in making Cartridges under the direction of the Commandant of Artillery are to be still continued in that service. No Artificer from the line is to be retaind by the Quarter Master of West Point, except he first obtains a certificate from the Commanding officer of the Garrison that such an Artificer is absolutely requisite for such a particular purpose, in which case Major General Heath will be pleased to give the necessary order for a limitted time only.

To MAJOR GENERAL HENRY KNOX AND GOUVERNEUR MORRIS

Head Quarters, Newburgh, April 20, 1782.

Gentlemen: I have been favored with your Letter of the 16 of April by General Forman. Convinced, from the state of facts which has been exhibited to me, that justice, expediency and necessity require that satisfaction should be obtained for

[1] The draft is in the writing of Jonathan Trumbull, jr.

the Murder of Captn. Huddy; I have in the first instance made a representation to Sr. H Clinton and demanded that the Officer who commanded the Party or if he was not a Captn such a number of Agents in the execution, as are equal by tariff to that rank should be delivered up to condign punishment. In case of refusal, I have formed the resolution that retaliation shall take place upon a British Officer of equal Rank. It therefore remains with the Enemy alone to prevent this distressing alternative; for having[2] formed my Opinion upon the most mature reflexion, and deliberation I can never recede from it. I have the honor etc.[3]

To ABRAHAM SKINNER

Head Quarters, Newburgh, April 20, 1782.

Sir: I have been informed that a certain Col Asher Holmes[4] of Monmouth County has been concerned in making partial exchanges, sending and receiving Flags, giving indulgence to People within the Enemy's lines, and obtaining Paroles in consequence for some of our People in the power of the Enemy; and that when questioned for so doing by the Executive of the State he attempted to exculpate himself by asserting he acted under proper authority derived from your Department. As I know you have frequently made complaints (and not without great occasion) respecting such irregularities; I request to be informed explicitly, whether Col Holmes has received any *authority* from you, or any Person acting under you, and in that case, of what nature, and under what limitations or restriction

[2] At this point the draft has the following crossed out: "confirmed my own Opinion with the concurring sentiments of all the General Officers, Commandg. Officers of Brigades and Corps, I can never recede from it."

[3] The draft is in the writing of David Humphreys.

[4] Colonel of Monmouth County militia.

it was. In order, that if any thing improper has been done, it may be amended; or if otherwise, the report may be refuted.[5]

You will be pleased to collect and transmit to me as early as possible, a List of the Officers belonging to the Enemy's Army who are Prisoners to us; noting particularly together with the Names and Rank, whether they are unconditional Prisoners of War, or under any Convention or Capitulation; and mentioning the Places, at which they are now confined or paroled. This is not meant to comprehend those who are absent from the continent or within the Enemy's Line. I am etc.[6]

*To BARTHOLOMEW DANDRIDGE

Newburgh, April 20, 1782.

Dear Sir: Since my last to you from Philadelphia I have been favoured with your Letter of the 20th. Ulto. from New Kent.

How far it is proper, or improper to delay the appointment of a Guardian, or Guardians to Mr. Custis's Children I shall not take upon me to decide but this I am clear in, and beg leave again to urge it, that whenever the necessity for it arrives you shou'd take upon yourself the trust.

I confess to you candidly that I see very little prospect of the Wars ending with this Campaign; or, if it does that I shall have leizure to engage in New matters. My own affairs will, I am convinced, be found in a very perplexed condition. All my Book Accts. Bonds &ca stand as I left them (except those which have been discharged with depreciated Notes). But this is not all; matters which relate immediately to myself, is the least of

[5] Skinner replied (April 22): "I know not how Colo. Holmes cou'd assert that he acted under Authority from my department in the making partial Exchanges; he has no such Authority from me and I have written to him on the Subject." Skinner's letter is in the *Washington Papers*.

[6] The draft is in the writing of David Holmes.

my concern, unfortunately for me; I became, much against my inclination, but at the earnest request of Colo. Thos. Colville, one of his Executors to an Estate which was left under the most peculiar circumstances imaginable, as it was intricately involved with an Estate of his Brothers (who had died before him), and in Legacies to people in England; not by name, but by description and descent almost from Adam; who had given infinite trouble before I left Virginia by their claims, unsatisfactory proofs of their descent, discontents, &ca. The other Executor, a Mr. West,[7] whom it was intended by the Testator, should, and who ought to have had all the trouble, died three or four years ago, and from an indolence of disposition, inattention to business, and bad accts; has, I fear, made *that* which at *best* would have been exceedingly troublesome in a great degree perplexing and difficult; so that I have not only all these difficulties to encounter, but shall think myself very fortunate if I escape without loss. Besides this business, I stand alone in another, which is also under very peculiar circumstances; I mean my transactions under a power of attorney from Colo. Geo: Mercer and his Mortgages to Colo. Tayloe and myself; in which I disposed of his Estate to the Amt. of £14,000 payable the Novr. succeeding my leaving home, and left the business with Colo. Tayloe to finish, but this Gentn. never took one single direct or proper step in it while he was in a condition so to do, and died insane; so that, that matter stands on a most wretched and ruinous footing. Add to this, that yielding to the pressing solicitation of my Neighbour Colo. Fairfax, when he was about to leave the Country, I accepted of a power of Attorney authorising me to direct his business, which when I left Virginia, was (after selling good part of his personal Estate) left at Sixes and Sevens.

[7] John West.

In a word, I see so many perplexing and intricate matters before me, which must be the work of time to arrange and bring to a conclusion, that It would be injurious to the Children, and madness in me, to undertake *as a principle* a trust which I could not discharge. Such aid however, as it ever may be with me to give to the Children, especially the boy, I will afford with all my heart, and with all my Soul, and on the assurances of it you may rely.

Inclosed you have a copy of my acct. with Mr. Custis, settled by Colo. Mason as the mutual friend to us both. I have no doubt but that every Article of Debit and Credit contained in it, is right; but that there is a deficiency in the acct. is obvious from the face of it, when compared with known facts. This acct. carries with it, the *appearance* of a final settlement, comprehending all our dealings up to the date, to wit, the 28th. of June 1778; Whereas the fact is, that all articles of charge, or credit betwn. that period and the settlemt. with the Genl. Court on the 4th. of Novr. 1773 are omitted; many of which *may be* important, one I know to be so, and that is the rent of the dower Estate near Wmsburg during that Interval. This imperfection in the settlet. I can only acct for by their having, (as I directed for Colo. Mason's satisfaction) recourse to certified copies of the last settled accts. as vouchers with the Genl. Court, and their not attending, or perhaps knowing of the open one on my Books by which means the whole of it is excluded. I shall write Mr. Lund Washington (by this conveyance) for a copy of the open Acct, subsequent to the date of that settled with the Court, and previous to my leaving Virginia in May 1775; as also for any Acct. which he on my behalf may have raised since, and will send them both to you.

You also have inclosed, a Copy of Mr. Custis's Bond to, and agreement with me, at the time I relinquished all my right to and property in the Dower Estate except the Negroes under

that description which I had on my Estate of Mount Vernon. At the time of Bargaining, I gave him all the Horses and implements of Husbandry at the Plantation; but he was to pay for the stock of every kind which should be found thereon, at such rates as Colo. Bassett might affix to them; 47 of the Cattle however he removed to his seat in Fairfax before any valuation was made; the remainder was appraised by Colo. Bassett, on the 21st. of December in that Year (1778) in the manner, and to the Amount of the inclosed list. the 47 head also included in this list, was valued the September following at the rate of £40 pr. head by Colo. Bassett, in consequence I suppose, of the depreciation; but to this Mr. Custis objected, on account he alledged of the extravagent price which by the by appeared only so in sound; however, as I wanted nothing more than the real value, and was perswaded he meant to do me justice, I wrote him that the matter might be settled in any manner consistently with these views. so the matter (I believe) has rested ever since.

Thus my dear Sir have I given you every information in my power respecting the State of my Acct. with Mr. Custis. When I get, and can send you the Accts. which I am now writing to Mr. Lund Washington for, you will have the whole matter as fully before you as it is in my power to place it.

If the Legislature of Virga. will not put it in the power of Individuals to recover Debts, it would be extremely hard upon Mr. Custis's Heirs to have their property sold to discharge his; when there are such ample means to do it without; if they could be got at. and when, if property was to be sold on credit, there might be the same difficulty to obtain the money arising from the Sales, as there is to come at *that* wch. is already due. As the Assembly has called in all the Paper Money, it can no longer I presume be a tender; but if the case had been otherwise the mere attempt to do it is so incompatible with my ideas of common honesty, and is of so fraudulent a nature that I should have

advised the refusal of it in every instance. The Articles which you propose to sell, to wit, Horses and Mares, can well be spared; for I think they contribute more to the amusement than profit of the raiser at any time, and without the latter their can be no plea for the former in the Instance before us. without the Household furniture Mrs. Custis cannot do, this therefore ought not be sold.

I had no particular reason for keeping, and handing down to his Son[8] the Books of the late Colo. Custis, saving, that I thought it would be taking the advantage of a low appraisement to make them my own property at it; and that to sell them was not an object, as they might be useful to him. how far these considerations should weigh at a time when money is wanting, you are the best judge of.

I am exceedingly glad to hear that you found your family well on your return from Fairfax, and that yr. own health was improved by the Trip. Yr. Sister[9] joins me in the most Affecte. manr. to all Friends, and I am etc.

Memorandm.

Decr. 21st. 1778.

29 old Cattle	at	£12	£348—
20 Heifers and Steers	at	8	160.
8 Work Steers	at	120	120—
2 Bulls	at	80	80
29 Calves	at	50/	72—
88 Cattle			
62 Sheep	at	30/	93—
27 Hogs	at	£5	135—
9 Sows and 54 Piggs		£81	81.
200 feet of Stacks			100
9000 bundles of fodder			90
Wheat and Oat Straw			30.
47 head of Cattle		£40	1,880

[8] George Washington Parke Custis.
[9] Mrs. Martha Washington.

NB. The above is copied literally from a Paper inclosed in Colo. Bassetts Letter to me of the 8th. of Sep: 1779.

The following is Mr. Custis's list of the above 47 head of Cattle. Inclosed in his Letter of the 7th. of October 1779.

18 Young Cows, from 3 to 4 Years old Common breed and small.
1 four years old Heifer English Breed.
4 three years Do. Do.
11 two years Do. Do.
3 three years Do. Steers.
10 best Work Oxen.

47 Total.

Observations

The prices of the Articles on the other side according to the Continental Scale of depreciation will stand thus.

29. old Cattle	£348	is	£53–17 7
20. Heifers and Steers	160		25. 4.7
8. Work Steers	120		18. 18. 5
2. Bulls	80		12. 12. 3
29 Calves	72–10		11. 8.7
62 Sheep	93		14. 13. 3
27 Hogs	135		21. 5. 9
9 Sows 54 Pigs	81		12. 5. 5
200 feet of Stacks	100		15. 15. 4
9000 Bundles Fodr.	90		14. 3.10
Wheat and Oat Straw	30		4. 14. 7
47 head of Cattle	1880		104. 6 7
	£3189	is	309. 6. 2

To THE PRESIDENT OF CONGRESS

Head Quarters, Newburgh, April 20, 1782.

Sir: The inclosed papers which I have the Honor to transmit to your Excellency, contain a State of Facts, with their

Testimonials,[10] respecting the Death of Capt. Joshua Huddy, who after being a prisoner some Days with the Enemy in N York, was sent out with a party of Refugees, and most cruelly and wantonly hanged on the Heights of Middletown.

This Instance of Barbarity, in my Opinion, calls loudly for Retaliation; previous, however, to adopting that Measure, and for my own Justification in the Judgment of an impartial World, I have made a Representation by Letter, (Copy of which is herein transmitted) to Sir Hry Clinton, and have demanded from him the Actual perpetrators of this horrid Act.

If by Sir Henry's Refusal, I should be driven to an Act of Retaliation, a British Officer of equal Rank, must atone for the Death of the unfortunate Huddy.

Happy, if I find that my Resolutions meet the Approbation of Congress,[11] I have the Honor etc.[12]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburgh, April 21, 1782.

Dear Sir: I am this moment favoured with your several Letters of the 18th 19th., 20th. Inst. and of this date.

[10] The testimonials inclosed were copies of: (1) Proceedings of a meeting of upwards of 400 inhabitants of Monmouth County, April 14. (2) Daniel Randolph's affidavit, April 15. (3) John North's affidavit, April 15. (4) Aaron White's affidavit, April 15. (5) John Russell's affidavit, April 15. (6) William Borden's affidavit, April 15. (7) Placard pinned on Huddy's body. (8) William Borden's affidavit, April 19, and David Forman's certification, April 19. Also a copy of Washington's letter to Sir Henry Clinton, April 21. Copies of (1) to (8) are also in the *Washington Papers*.

[11] On April 29, on report of the committee on Washington's letter of April 20, Congress resolved "That Congress having deliberately considered the said letter and the papers attending it, and being deeply impressed with the necessity of convincing the enemies of these United States, by the most decided conduct, that the repetition of their unprecedented and inhuman cruelties, so contrary to the laws of nations and of war, will no longer be suffered with impunity, do unanimously approve of the firm and judicious conduct of the Commander in Chief in his application to the British general at New York, and do hereby assure him of their firmest support in his fixed purpose of exemplary retaliation."

[12] In the writing of Jonathan Trumbull, jr. The letter was read in Congress on April 29 and referred to Elias Boudinot, John Morin Scott, and Thomas Bee.

I approve of your relieving Major Maxwell for the purpose you mention.

I fear you have not received my Letter of the 16th respecting the Contract, as I do not find it acknowledged in any of Yours, I wish to be informed, and am, etc.[13] [MS. H.S.]

To OLIVER PHELPS

Head Quarters, April 21, 1782.

Sir: I have received your Favor of the 19th. inst. A variety of Circumstances at present operate to prevent my being able to decide on the places of Deposite for your Salted provisions and as the Season is at this Time unfavorable for their Movement, I suppose it will be agreable to you that they rest at the Several places where they are purchased, till I am better able to give you my Decision.

I have not yet received a Copy of Your Contract, which forms an additional Reason against my Deciding at this Time on the places of Deposite. I am Sir.[14]

To SIR HENRY CLINTON

Head Quarters, April 21, 1782.

Sir: The inclosed Representation from the Inhabitants of the County of Monmouth, with testimonials to the facts, (which can be coroborated by other unquestionable Evidence) will bring before your Excellency the most wanton, unprecedented and inhuman Murder that ever disgraced the Arms of a civilized people.

I shall not, because I conceive it altogether unnecessary, trouble your Excely, with any Animadversions upon this transaction.

[13] In the writing of David Humphreys.
[14] The draft is in the writing of Jonathan Trumbull, jr.

Candor obliges me to be explicit. To save the innocent, I demand the guilty. Captn Lippicot[15] therefore, or the Officer who commanded at the Execution of Capt Huddy must be given up; or if that Officer was of inferior Rank to him so many of the perpetrators as will according to the Tariff of Exchange be an Equivalent.

To do this will mark the Justice of your Excelly's Character. In Failure of it, I shall hold myself justifiable in the Eyes of God and Man, for the measure to which I shall resort.

I beg your Exccy to be persuaded, that it cannot be more disagreable to you to be addressed in this Language, than it is to me to offer it; but the Subject requires frankness and decision.

I have to request your speedy determination, as my Resolution is suspended but for your Answer. I have the Honor etc.[16]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburgh, April 22, 1782.

Dear Sir: I have occasion immediately for the sentiments of the General Officers on the question mentioned in a former Letter, viz, what are to be considered the subordinate Posts or Dependencies of West Point?

Respecting the salted Provision of which you enclosed me a survey in your Letter of the 20th, I have to observe, it should be demanded immediately of the Contractors what proportion of it, they will receive from the Public. That which is fit for use should be issued before it is spoiled by the approaching Warm Weather; if there is any remaining so tainted as to be improper to be issued, and yet such as may be applyed to some other purposes, it should be disposed of in such manner as will be most

[15] Capt. Richard Lippincott, of Associated Loyalists, British Provincial Troops.
[16] The draft is in the writing of Jonathan Trumbull, jr.

beneficial to the Public. That which has become nauseous and is too bad for any use, should be buried instantly. I am etc.

P. S. Mr. Elias Hosbrook[17] complains, that after the Army left the White Plains, last Campaign, the Guard under Captain Pray took a large quantity of Cyder belonging to him from Tarry Town, which they refused to deliver to the owner. I wish the matter may be investigated, and justice done in the case, upon his application to you.[18] [MS. H. S.]

*To LIEUTENANT COLONEL JOHN LAURENS

Newburgh, April 22, 1782.

Dear Sir: I have received since my arrival at these Quarters, your favor of the 12th. of Feby. *respecting the exchange of your Honble. Father for Lord Cornwallis. I am sorry to inform you,* that upon my arrival at Philadelphia and for a long time after I had been there I experienced the greatest *disinclination in Congress to the exchange of Lord Cornwallis; upon any terms;* and that, it was not till after I had *combated their objections* in different ways, and at several meetings *of their Committees,* that I got the matter placed upon such a footing as to leave me at liberty to *negotiate the exchange of that Officer, at any rate; The principal difficulties* are now so far *removed,* as to admit Commissioners on each side to meet (and they are now sitting at Elizabeth Town) for the purpose of exchanges, in which Mr. Laurens's is particularly given in charge; for settling of Accounts, &ca. and I hope, unless some untoward impediment shd. intervene in the prosecution of this business, that you will soon meet the accomplishment of your wishes.

It has been my uniform opinion since the capitulation of York Town, that unless the enemy can send such reinforcements to

[17] Elias Hasbrouck (Hosbrook), colonel of Ulster County militia.
[18] In the writing of David Humphreys.

this Continent as will, in their judgments, place their two principal Posts of New York and Charles Town in a state of perfect security; Or, that they are sure of having a Naval superiority on this Coast, during the operations of the Campaign, that they will concentre their force at one of those points. and further, it has as invariably been my opinion, that New York will be the last hold they will quit in the United States. If I am mistaken in the first, I shall believe that a Negotiation of Peace or a Truce, is near at hand and that they hazard much for the Uti-possidetis, which from present appearances, and my conception of the views of the British Government I have not the smallest idea of. I mean peace this Year. With the greatest truth etc.[19]

To JOHN DE NEUFVILLE & SON[20]

Head Quarters of the American Army, April 22, 1782.

Gentlemen: The very favorable sentiments you are pleased to express in your polite Letter of the 10th of August last, have added infinitely to the value of the agreeable Present you intended for me:[21] and I wish you to be assured, that the detention of that Present by Captain Gillon,[22] has not diminished my sense of the obligations I am under to you. Major Jackson[23] has explained the matter fully, and has delivered an elegant Perspective Glass calculated to be used in the day or Night time.

I entreat you will be pleased to accept my thanks for those marks of your regard, and believe me to be etc.[24]

[19] A note by Washington at the end of this letter says: "The Words, with lines drawn under them, were intended to have been wrote in Cypher but time not permitting no part was cyphered." These words are shown above in italics.

[20] Amsterdam merchants and agents for refitting John Paul Jones's squadron.

[21] A letter press-copying machine, which was shipped with Gillon in August, 1781, and forwarded by him from Havana in March, 1782. (See Washington's letter to Commodore Alexander Gillon, June 17, 1782, *post*.)

[22] Alexander Gillon, commodore, South Carolina navy.

[23] Maj. William Jackson.

[24] The draft is in the writing of David Humphreys.

To THE SECRETARY AT WAR

Head Quarters, Newburgh, April 22, 1782.

Dear Sir: The inclosed List of Officers of the Staff[25] who were not allowed Servants by the late Regulation, is the best I have been able to form; the number of servants annexed to each appears to be reasonable; it may not comprehend the whole, in which case you can make the necessary addition. I have the honor etc.[26]

*To BRYAN FAIRFAX

Newburgh, April 22, 1782.

Dear Sir: Your favor of the 21st. Ulto., covering a letter for the present Lord Fairfax, came to my hands about Eight days ago; the latter, was immediately sealed and sent into New York, with other letters which came at the sametime from Colo. Martin; altho' the good old Lord had lived to an advanced age, I feel a concern at his death. and wish the partition of his Estate had been more in your favor.

I have received, and thank you for your former favor of the 18th. of Jany.; the assurances of unabated friendship on your part are flattering and pleasing to me; and call for an acknowledgment, which I can make with truth, of reciprocal regard.

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[25] The list inclosed is a separate memorandum in the writing of Benjamin Walker and David Humphreys, and is as follows:

Judge Advocate Genl.	2	Clothier Genl	2
Deputy	1	his Deputy	1
Pay Master Genl	2	Surveyor and Geographer	1
Deputy	1	The Qr Mastr General	4
Chaplain	1	The principal Dep Q Mr for the Southern Service	3
Commissary Prisoners	2	Commissy of Forage	2
his Deputy	1	Waggon Mastr. Gen	2
Director Genl	2	Other Officers in that Department the same allowance as those of the same rank serving with the line.	
Chief Phys &c	2		
Surgeons and Phys &c	1		

[26] The draft is in the writing of David Humphreys.

on mine. It will ever give me pleasure to hear of your health and prosperity, with much esteem, and sincere Affection I am etc. [H.S.P.]

*To THE SECRETARY AT WAR

Newburgh, April 22, 1782.

My dear Sir: I have only time by Mr. Eveleigh[27] to acknowledge the rect. of your private letter of the 2d. and to thank you for it.[28] The moment I am at leizure and a good oppertunity offers I shall write you more fully on the subject.

Permit me to recommend the Letters herewith inclosed to your care, if not better oppertunity offers, be so good as to forward them by the first Post.

Most sincerely and Affectionately I am etc.

[U. S. NAVAL ACADEMY]

GENERAL ORDERS

Head Quarters, Newburgh, Monday, April 22, 1782.

Parole ———. Countersigns ———.

The United States in Congress Assembled having been pleased by their Proclamation, dated the 19th March last, to appoint Thursday next the 25th. Instant to be set apart as a day of Fasting, humiliation and Prayr for certain special purposes therein Mentioned: the same is to be Observed accordingly throughout the Army, and the different Chaplains will prepare Discourses Suited to the Several Objects enjoin'd by the said Proclamation.

[27] Nicholas Eveleigh. He was a Delegate to the Continental Congress from South Carolina; member of the South Carolina Legislative Council in 1783; First Comptroller of the U. S. Treasury from 1789 to 1791.

[28] Lincoln's letter of April 2 was a 20-page folio discussion of the probable operations of the campaign of 1782. It is in the *Washington Papers*.

To MAJOR GENERAL NATHANAEL GREENE

Head Quarters, Newburgh, April 23, 1782.

Dear Sir: Your Favor of the 8th. of Febry was acknowledged in mine of the 18th. of March. I have now received yours of the 9th. Ulto from Ponpon, covrg the Correspondence you have had with the Count de Rochambeau, and a Genl Return of your Army.

Your Apprehensions, in Consequence of the Movement of the Legion of Lauzun, need not be much alarmed *the present Situation of the Enemy in N Y I am persuaded will not afford any Reinforcements to your Quarter.*

The Recruits raising in the States from whence your Army is composed, are compleating as fast as Circumstances will admit and (if needed) will be ready to go on to you as early *as the Operations of the Campaign are decided;* which at present, *from a* Variety of Circumstances, (*among which a Want of Intelligence from Europe is not the least*), are *held in a State of Uncertainty.* The State of Maryland had some Time ago, *about 300 Men inlisted, and waiting only for their Cloaths,* which have been sent on from Phila. a Number also are collected in Pennsylvania. *But untill* our Information respecting the Enemy's Intentions, and their future Mode of War is more clearly ascertained; as well as Our knowledge of the Support and Assistance which we expect from our Ally, *it may not be well to hasten on the*[29] *Recruits to your Army.* You are not insensible of the Disadvantages we have ever experienced in Attempts *to Reinforce at your Distance by Land;* it having hitherto proved *a Weakening of the Main Army, without any essential Augmentation to yours.*

[29] At this point the draft has the following crossed out: "these Reinforcements which at present are allotted."

In present Circumstances, *without the Aid of Naval Force and Water Conveyance, your own Experience and the general Knowledge* you have of the Country, *will readily decide upon the Impracticability of transportg by Land such heavy Stores and Artillery as would be necessary for great Operations. So that you have only to content yourself with such a Force as will be competent to the purpose of confining the Enemy to their Lines, and prevent them from carrying their Ravages into the Country.*

I wait with Impatience for intelligence *which will decide the Intentions of the Enemy, and fix the Operations of the Campaign on our part;* this I hope is not far Distant. I am &c.[30]

To COMFORT SANDS & CO.[31]

Head Quarters, Newburgh, April 23, 1782.

Sir: Having just received a Copy of the Contract for supplying the moving Army,[32] and conceiving (from what was observed when I saw you and Mr. Livingston[33] together) it will be necessary for the Company engaged in that Contract, as well as for the Contractors for furnishing the Garrison of West Point &c. to be apprised of the particular Troops to be supplied under each Contract on the first of May; I have taken the earliest occasion of giving you my Opinion fully on that Matter. Previous to which, I think it expedient you should be informed, that it may be difficult and even impossible to ascertain any length of time beforehand with any degree of precision, what the Garrison of West Point, and its dependencies will consist

[30] The draft is in the writing of Jonathan Trumbull, jr., and has the following note by Washington: "Such parts of this letter as are marked with lines were written in Cypher." These are shown above in italics.

[31] Contractors for supplying the Army with provisions.

[32] In the *Washington Papers,* under date of Apr. 6, 1782.

[33] Walter Livingston.

of. The strength of that Garrison must and will vary according to circumstances, or as the general Plan of operations for the Campaign may require; which depends upon so many contingencies, that I cannot possibly take upon me to inform you now, what number of Rations you will have to supply after the Main Army takes the Field; as it is obvious the number of Men requisite for the security of those Posts will depend entirely upon the position of the remainder of our Army for covering them and the state of the Enemy at that time. All I can say further on this subject is, that the last Campaign the Garrison was composed of two Garrison Regts. which were made up, by detachments of the weakest Men from the whole line of the Army, together with some artillery and Militia; and that in future, the good of the service, not the interest of any Individuals whatever, will point out the line of Conduct, I shall pursue respecting the dispositions of the Troops.

It is because, I fear, some difficulty or foundation for dispute, or obstructions to the Public interest, in consequence of this fluctuation of the number of Rations to be issued, may arise between the Contractors for supplying the Moving Army and those for furnishing the Garrison, that I mention these things; and I would take the liberty to suggest, whether it might not be the best way, for removing all grounds of disputes and Altercations, to have some mutual agreement between the different Companies of Contractors,[34] (if it could be found practicable and convenient to them), so that the whole business might be executed upon one great scale.

In the mean time untill the Army takes the field, I shall consider the Garrison of West Point as being composed of the 1st & 2d Massachusetts Brigades, the 3d Regt of Artillery, and such

[34] Tench Francis and Comfort Sands & Co., of Philadelphia; Thomas Lowry, of New Jersey; Oliver Phelps and Timothy Edwards, of Massachusetts; and Walter Livingston, of New York.

small Corps or parts of Corps as are now, or may be occasionally employed there.

The immediate Dependencies of West Point at present are, the Posts in its vicinity on the eastern side of the River, the Posts of Kings Ferry, Dobb's Ferry, and Fishkill, and there must be one at Newburgh or New Windsor.

The Commandt at West Point, upon application to him, can from time to time inform you nearly of the Number of Rations to be issued at the aforesd Posts.

The remainder of the Troops I shall comprehend under the general idea of the Moving Army; and they are to be supplied accordingly; but as before suggested I think it would be much more advantageous to the Contractors as well as the Public, that a Union of interests, or mutual agreement, should supersede the necessity of discrimination. I am etc.[35]

To SECRETARY FOR FOREIGN AFFAIRS[36]

Head Quarters, Newburgh, April 23, 1782.

Dear Sir: I have to acknowledge, and thank you for your favour of the 16th, which covered a Letter from the Marquis de la Fayette dated the 30th of Janry. that Letter does not contain any News of considerable moment relative to public affairs. Altho the Marquis does not pretend to speak of the plan of the Campaign; his sentiments in general appear to be, that Britain will make a desperate effort to prosecute the War, that neither N York or Charles Town will be evacuated, that France is perfectly well disposed towards the United States, that no pecuniary aid must however be expected from thence, that it is "generally thought, the exertions of America are not equal to her abilities, and that nothing could operate so much for

[35] The draft is in the writing of David Humphreys.
[36] Robert R. Livingston.

further assistance, as pointed assurances of a good Army for the War"; great deference I think is due to his opinion, not only from his singular assiduity and sagacity in collecting and combining circumstances, but also on account of his favorable oppertunities for the purpose. [he adds that the report of Cardinal de Bernis being nominated as prime Minister was mere rumour for it appeared that the King seemed disposed to be first Minister himself.]

I have little doubt, for my own part, of the Enemy's first determination to prosecute the War; but have greater hesitancy in believing that they will attempt to hold both N York and Charles Town, unless they expect to have a decided superiority on this Coast thro the Campaign, or intend to send out large reinforcements of land Troops from Europe; leaving their own defence, to the Militia and Volunteers of Britain and Ireland.

I am not at a loss to decide what ought to be our line of policy; I wish I could say, that the States were making all the efforts, our situation demands, and which our Allies have a right to expect from us. My endeavour to excite that spirit of exertion has not been wanting; My addresses to the States, since the close of last Campaign, have been importunate and incessant.

You will have many opportunities of communicating intelligence to me, which, I shall not be able to obtain thro' any other Channel; I shall be happy in a continuation of your Correspondence, and am etc.[37]

To COMTE DE ROCHAMBEAU

Head Quarters, Newburgh, April 23, 1782.

Dear Sir: I have been honored by your Excellency's Letter of the 6th instant, and thank you for the Communication of Genl Green's of the 10th. ulto.

[37] The draft is in the writing of David Humphreys.

I think he need not be much alarmed on Account of the Movement of the Legion; from the present Situation of the Enemy, I am persuaded no Reinforcements will be sent from N York to Carolina.

I am equally impatient with Your Excellency, for Intelligence from Europe, and shall be ready to meet you, as proposed, the Moment the Occasion shall call.

Some Transports and Vessels are lately arrived at New York from Charlestown; but have brought no Troops, unless a few Remnants of some broken Corps, which were principally captured with Lord Cornwallis.

I can scarsely imagine the Enemy have any Intention of taking another post; in my Opinion, such an Event will be rather desirable for us than otherwise. With Sentiments of very great Regard &c.[38]

To THE SECRETARY AT WAR

Head Quarters, April 23, 1782.

Dear Sir: I have to acknowledge the Receipt of your Favor of the 10th instant, inclosing the Resolves of Congress respectg the Pay Master Genls Department.

I never had in [*sic*] Idea when we conversed on the Subject of Contingencies in the Army, and Warrants being drawn by the Commander in Chief for their payment, that it was to have a Retrospect beyond the Commencement of the present Campaign, or that it was to extend to all the Contingencies which might happen in the various Departments of the Army. If this is to be the Case, I may at once sett myself Down as an Auditor of Accounts, and find full Employ. I imagine Accounts of that Nature are still numerous in the Hands of Officers for almost

[38] In the writing of Jonathan Trumbull, jr. From the original in the *Rochambeau Papers* in the Library of Congress.

every Campaign of the War. My Idea extended only to checkg the Expences of Officers who on extraordinary Occasions were employed out of the particular Line of their Duty, and would need perhaps to be furnished with Money for their Purpose, and for Secret Services and other Contingencies which fall immediately under the Direction of the Commander in Chief. I beg this Duty may not look back beyond the period of the 1st Janry 1782.

On these principles and thinkg Lieut Wheatons[39] Vouchers are not so compleat as they ought to be, I have returned his papers to you again. I am &c.[40]

To BRIGADIER GENERAL JOHN PATERSON

Head Quarters, Newburgh, April 23, 1782.

Sir: Upon application of the Contractors for supplying the Garrison of West Point &c with Provisions, you will from time to time inform them as exactly as you are able, of the number of Rations that will be required for the Garrison of West Point and the Posts in its vicinity on the eastern side of the River, the Posts of Kings ferry, Dobbs Ferry, Fish Kill, or New Windsor and Newburgh. I am &c.[41]

To THE SUPERINTENDENT OF FINANCE

Head Quarters, April 23, 1782.

Sir: I am obliged to you for the Copy of the Contract[42] you have been pleased to send me under cover of your Favour of 15th Instant. It came very opportunely, as have already been applied

[39] Lieut. Joseph Wheaton, of Olney's Rhode Island Battalion. He served to December, 1783.

[40] The draft is in the writing of Jonathan Trumbull, jr.

[41] The draft is in the writing of David Humphreys, and addressed to the commanding officer of the garrison of West Point.

[42] A copy of the contract, dated Apr. 6, 1782, is in the *Washington Papers*.

to for a Determination upon the points which are submitted to my Decision.

I am very glad to find that an Intendant, appointed by you, is to attend the Army, and to hear and decide on Causes of Complaint or Uneasiness which may arise between the Army and the Contractors. As we are still to gain knowledge by Experience, other complaints than those which have already occurred, may yet arise; and shall be very happy to be relieved from those Troubles as much as possible. I wish you may be fortunate in the Appointment of this person and that he may be with the Army at an early period.

You may be assured that I am fully persuaded of the Importance and Utility of the present mode of feeding the Army and that I shall take every Occasion to impress the same Ideas upon the Minds of the Officers. I am pleased to find, that saving the Complaints which have arisen in their Execution, they are generally inclined to acquiesce and promote the Contracts. And you may depend that I shall take pleasure in giving the Gentlemen concerned in our Supply, every Assistance and protection in my power, consistent with that Justice which I think is due to the Army. I have the Honor etc.[43]

To GOVERNOR GEORGE CLINTON

Newburgh, April 24, 1782.

Sir: I have received your Favor of Yesterday, and have to lament the Situation in which I am placed between the Resolves of Congress and the Transactions of this State. It is particularly unfortunate, as Genl Schuyler in answer to his Queries when here, was informed, that I did not conceive myself authorized to issue provisions to the Levies of the State untill they were

[43] The draft is in the writing of Jonathan Trumbull, jr.

received into Service. In Consequence of which, I was in hopes the Legislature would have made provision for their Subsistence: But this not being done, and to avoid the disagreeable Consequences which you justly apprehend, I must consent that the Contractors shall issue provisions to those collecting at the lower Rendezvous, untill the Matter of their Subsistence shall be decided by Congress. The Levies at the Northern posts, I wish to have collected as soon as possible, that they may be ready to relieve the Troops of N Hampshire, which are now I perceive, exceedgly Scattered, and whom I shall want to draw together very soon for the general purposes of the Campaign. I am &c.

P. S. Your Excellency will be sensible that Regular Measures must be adopted for the Issues to the Levies, that no impositions may be practiced upon the Contractors or the public.[44]

GENERAL ORDERS

Head Quarters, Newbergh, Wednesday, April 24, 1782.

Parole ———. Countersigns ———.

The Honorable the Congress have been pleased to pass the following Resolutions:

By the United States in Congress Assembled.

Monday, April 8, 1782.

On a report from the Secretary at War, to whom was referred a plan of the paymaster general, for the better regulation of the pay of the army:

Resolved, That as all returns necessary to check the accounts of pay and rations, and to give full information of public issues of cloathing and stores, are lodged at the war office, the Secretary at War is hereby empowered and directed to issue his warrants on the paymaster general, in favour of each regimental paymaster, for the pay and rations which shall appear on adjustment of their accounts to be due to the regiments respectively, and to the head of each department for the pay and rations due to

[44] The draft is in the writing of Jonathan Trumbull, jr.

such department; that the accounts for pay and rations of each regiment, and of each department in the army from January 1st, 1782, shall be made out at the end of every month and be transmitted to the war office for examination and warrants:

That the manner of making the payments, of keeping the accounts, and the returns of the regimental paymasters, be regulated by the Secretary at War:

That the paymaster general shall pay on the warrants of the Secretary at War, from such monies as shall be put into his hands for the pay and rations of the troops, and to the orders of the Commander in Chief, or officer commanding the southern army, from such monies as shall be placed in his disposal for contingencies.

Resolved, That all resolutions heretofore passed, empowering general officers to draw warrants on the paymaster general, except that empowering the officer commanding the southern army, be, and the same are hereby repealed.

Resolved, That there be one deputy paymaster for the southern army: That there shall be one assistant allowed to the paymaster general, who shall do the duties of a clerk.

That the paymaster general be, and he is hereby authorised to appoint his deputy and assistant.

That the paymaster general immediately give bonds with two sureties to the Superintendant of finance, in the sum of fifteen thousand dollars, for the faithful performance of his office.

To THE SECRETARY AT WAR

Head Quarters, Newburgh, April 24, 1782.

Dear Sir: I take the liberty to inclose you a Letter from Colo. Van Schaack of the 1st New York Regiment, asking a continuation of that leave of absence which Congress before granted him; what that leave was I know not, but I think it absolutely necessary that something should be determind on in this matter, as Colo. Van Schaack has already been absent from the Army near a twelve month. I am etc.[45]

[45] The draft is in the writing of Benjamin Walker.

To THE SECRETARY AT WAR

Head Quarters, Newburgh, April 24, 1782.

Dear Sir: The inclosed Copy of a Letter from Governor Clinton, with my Answer to him,[46] you will be pleased to submit to the Consideration of Congress: the Subject will be disclosed by a perusal, from whence you will also observe the Importance of an early Decision.

The Necessity of the Case only, grounded on the Govrs. Representation, could have induced me to consented so far as I have done, and this I hope will apologize for me with Congress.

On this Subject it may probably be well to consult the Superintendt. Finance, I know not how far the feeding the Levies of any of the States have entered into his Estimates on which he has grounded the Calculations of his Contracts. With great Regard etc.[47]

To COMFORT SANDS & CO.

Head Quarters, April 25, 1782.

Sir: You will be pleased to issue provisions for the Subsistence of the Levies of this State, which will be assembled at Fishkill in a few Days in Consequence of the Orders of Governor Clinton, takg care that your Issues to them be made under the same Restrictions and Regulations as are established for your Government in the Issues made to the Continental Troops and particularly observing that no Man is to be furnished until it is certified that he is regularly mustered and received, agreeable to the Orders of the Governor. I am &c.[48]

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[46] Clinton's letter of April 23, is in the *Washington Papers*. (See Washington's letter to Gov. George Clinton, Apr. 25, 1782, *post*.)

[47] In the writing of Jonathan Trumbull, jr.

[48] The draft is in the writing of Jonathan Trumbull, jr.

On April 25 Washington wrote to William Duer practically this same letter, ordering him to supply the New York levies assembling at Albany. The draft of this letter is in the *Washington Papers*.

To GOVERNOR GEORGE CLINTON

Head Quarters, Newburgh, April 25, 1782.

Sir: It appears to me, upon further consideration essentially necessary, that the Levies of this State should be collected immediately, to some of the Posts where issuing Stores are established by the Contractors, otherwise I apprehend, it will be impossible they should be fed in the manner proposed. I have directed Mr. Sands to issue to all the Levies which may be assembled at Fishkill upon their being duly mustered and returned for Provisions. The inclosed contains a similar Order to the Contractors in the Northern Department to supply all such as may be collected at Albany, or any place where they have an issuing Store. I have made this communication to prevent Mistakes and have the honor etc.[49]

*To CHEVALIER DE LA LUZERNE

Newburgh, April 25, 1782.

Sir: I have had the honor to receive your Excellency's favor of the 18th. Instt. by Count Beniowsky, and [do myself the pleasure to] congratulate you on your safe return to Philadelphia in good health.

The Plan which the Count means to offer to the consideration of Congress [appears to be projected] upon a liberal scale; and with some explanation, and perhaps alteration, [may be] well worthy of their attention. This Gentn. is fully possessed of my Sentiments on the subject of his proposals; and is at Liberty to make such use of them, [as] he thinks proper. He will have the honor of communicating them to your Excellency and of informing you, that as they involve political [as well as

[49] In the writing of David Humphreys. From the original at Washington's Headquarters and Museum, Newburgh, N. Y.

Military] considerations, I have confined my opinion to the military parts only, of the plan.

I shall take an early occasion to address your Excellency on the subject of your other Letter of the 18th. in the meantime I pray you to be assured that, with every sentiment of the most perfect esteem etc.[50]

*To THE SECRETARY AT WAR

Newburgh, April 25, 1782.

My dear Sir: Your private letter of the 2d. Instt. came to my hands the 20th. by Doctr. Craik. I am much indebted to you for the sentiments and calculations contained in it. You have however, if my information and estimation of the Enemys strength in New York is right, fallen a good deal short of *their* numbers, and if I may be allowed to ground an opinion upon present appearances, information and past experience, I should think you have greatly over-rated *our* prospects. consequently, that which seems to be a matter of no doubt in your mind, constitutes all the difficulty in mine, in pointing the operations of the present campaign towards New York.

I am perswaded the enemy have not, at this time, less than 9000 regular Troops in New York and its dependencies; including their established Provencial Corps. and by a report from the Commandant of that place to Lord George Germain in the Winter of 1780, when they expected an Attack from us, it appears that of City Militia, Volunteer Companies, and some other small Corps which were named; enclusive of Marines, Sailers and Delancys Refugees; they had in Arms, regularly organized for defence of the Town 3390 Men. These added to

[50] The letter sent, in the writing of Jonathan Trumbull, jr., is in the *Paris Archives, Aff. Etrang., Mems. et Docs., E. U.*, vol. 6. It varies in minor verbal details from the above draft, in which the words in brackets are in the writing of Trumbull.

their regular forces make a body of 12,390 independent of their Southern Army; which I estimate at 4000 more; making altogether 16,390 besides Sailors and Marines. But, as an augmentation of the force in New York is, as yet, only problematical, I will suppose that the Enemy do not mean to with draw their Southern Garrisons, and that no re-inforcements will arrive from Europe, which is the most favourable point of view the matter can be placed in; we still have (besides Sailors and Marines which always will be more, or less, accordingly to the number of Ships in the harbour) 12,390 Men opposed to us, in Works which are growing into consistency and strength every day.

You think, and I very readily concur with you in opinion, that the Besiegers *ought* to be at least three times the number of the besieged, upon European principles, if New York was regularly fortified, we ought to have as 5 or 6 to 1. but I will set it at the lowest; and without demanding any thing for Marines or Sailors, the number of Men required will be 36,170.

How to obtain them is the next enquiry. Our present strength by the last returns is

	R & F.		R & F.
2 Regts. of N: Hampse.	441	—	542
10 Do. Massachusetts	2786	—	3382
1 Rhode Island	219	—	341
5 Regts. Connectt.	1275	—	1577
2 Ditto N. York	809	—	912
2 Ditto N. Jersey	638	—	740
1 Ditto Hazen	279	—	384
1 Ditto Invalids	184	—	244
24 Regts. Infantry	6631	—	8122
1 legionary Corps	230	—	250
2 Regts. of Artillery	642	—	774
Marischause supe.	30	—	...
Contine. force at this time	7533	—	9146

The column on the right, exhibts the total number of R: and file in the line of each state; the other, supposing the sick to keep the same ratio, and it is not great, gives every man that is to be expected from Regiments of the strength that ours are.

Having shewn the actual strength of the line, I shall next give the information upon which my opinion of recruits for it, is founded.

New Hampshire.

A Letter from Colo. Dearborn dated March 10th., says: the Assembly at their last meeting had done nothing; that they were to meet again the 15th; that he fears it will be too late for them to do much; that there does not appear a disposition to great exertions; that the Men in power dispair of raising either *Men* or *Money* "to any considerable amount". and therefore he fears, they will not take the matter up with as much spirit as he could wish, and concludes, if Men can be had, he is convinced Mr. Morris will receive very little of the Supplies, unless he will take it in specific articles.

Massachusetts bay:

Your knowledge of matters in this State much exceeds mine. All the official information I have received from it, has been through you; not one of my Letters to the Governor has been acknowledge; nor do I know whether any of them ever got to hand, except the one wch. you speak of as having been laid before a Comee. of the Assembly. One fact however is certain, and it is important. Viz, of 2994 Men returned to the State as its deficiency the Assembly voted *1500 only;* when it must be obvious to every considerate mind, that these deficiencies encrease daily, and in the nature of things must continually do so, while deaths and desertions are incident to Armies.

Rhode Island

Altho' Colo. Olney speaks of some difficulties, this State, will I expect, go near to compleat its Regiment with 9 Months Men, (the term for which they are enlisted), to commence from the time of their passing Muster by which means many of them will be discharged in Novemr, and near all of them in Decembr.

Connecticut,

Instead of 1475 Men wch. by returns from the line of the State they were deficient of Jany. last, is about to give *700*; five hundred of these Genl. Huntington in a letter of the 10th. Instt. writes me he thinks will be got by the end of May, and that two thirds of them will have to serve till the first of Jany. or for one year only.

New York.

Will, I believe, go near to compleat her quota, by Drafts to serve till the first of Jan: next

New Jersey.

Has not the most distant prospect that I can see, of doing this; her recruiting depends upon voluntary Enlistments, at a small bounty, by which a man *now* and *then* only is obtained.

Pensylvania, Delware and Maryland.

Pursue the same mode of Jersey, and I dare venture to pronounce will have the same success. But as the Troops of these States by a resolve of Congress are designated part of the Southern Army, I do not see how the recruits of them can be brought into this estimate, unless by the evacuation of Charles Town our force to the Southward should move this way; in which case and upon the principle here established, it ought to consist of 12,000 Men, to counterpoize the Enemy's 4000; but admitting they should join the Northern instead of the

Southern Army, their numbers from everything I can hear, do not exceed 600.

Under this state of matters, and the experience of two years; particularly the last, when a favourite enterprize was fairly announced, and every argument which my invention could suggest was urged in vain to induce the States to compleat their Ballns; I have not a single ray of hope that more than what follows will be obtained, each State line and Corps then will stand thus.

	R & File	
N: Hampshe. prest. streth.	441	
Recruits	200	641
Massachusetts bay	2786	
Recrts. (besides Artiy.)	1000	3786
Rhode Island prest.	219	
Recruits	250	469
Connecticut, pret.	1275	
Recruits bess. Horse	500	1775
New York, prest. strength	809	
Recruits besides Artillery	200	1009
New Jersey	638	
Desertions will keep pace with Recg.		638
Hazens Regt. no Rects. expd.		279
Invalid Regt. none but from the line		184
Sheldons Legion	230	
Recruits (from Cont.)	70	300
Lambs Regt. Artilly.	242	
Rects. from N. York	158	400

Cranes Artillery	374	
Rects. from Massts.	100	474
Mareschause Corps		30
Efficient Continls.		9985
Deduct for the Garrisons of:		
Wyoming	50	
Verplanks point	50	
Stoney Point	50	
Dobbss. ferry	25	
West point (altho it shd. be coverd by the Army) at least to secure the Works	750	
		925
Besides these, to compleat the Investiture of New York, and deprive the Garrison therein of Supplies, a small flying Corps shd. be in Jersey remns. and is card. over		9060
Add the French Troops in Virga. (wch. at this time cant exced for duty)		4000
Total regular Troops		13060
Wantg. to treble the Enemys force		24100
proof		37160

It now remains to be determined:

1st. Whether it is probable that 24,100 Militia can be had, if they are required.

2d. Whether a less, and what number of Men, the Siege of New York may be undertaken with.

3d. Whether it is prudent to make a requisition of the Militia before the succours from France (if any are coming) is announced to us, or wait this event, as each State from Delaware Eastward has been informed (by a circular letter of the of March)[51] that it was

[51] See Circular to the Eastern and Middle States, Mar. 5, 1782, *ante*.

highly probable the operations of the Campaign would make the aid of Militia necessary, and requesting very urgently that the Executive might be vested with ample powers to call them out, properly equipped for three Months, the time of Service to commence from the period at which they join the Army.

With respect to the first question *I* am clear that 24,100 cannot be had.

In answer to the 2d, if the Enemy continue divided, and we cannot (when all the Aids which are intended us, are disclosed) attempt something important, and more certain in another quarter, I should be disposed to undertake the Siege of New York with double the Enemys numbers, provided a Naval superiority comes early to our assistance, and will engage to cooperate during the siege; because I should hope that time and spirited exertions might effect (tho' with more toil and hazard) what numbers alone are generally thought competent to.

On the 3d. question I must obeserve that as the States have been prepared for a call of their Militia nothing further can well be done at this time, under our present State of uncertainty, nor do I believe that anything but expence wd. result from the measure; for while the mass of the People, or the Executives of the States, take upon them to judge of the time proper for drawing out their Militia and will wait till the necessity for it is obvious to the common and uninformed understandings of the multitude, it is of little avail to make requisitions of this sort, as the mischief resulting from it is as influential upon any plan which may be in contemplation as inability, or want of inclination possibly can be.

Upon the whole, altho' I have not made up my mind fully the impracticability of attacking New York, I am inclined to believe that without the aid of 5 or 6000 French Troops, in addition to those in Virginia, we should find the conquest of New York an arduous task, and that if the enemy concentre

their force at that point it will be scarcely possible with any means I have a knowledge of at prest. However as these thoughts are thrown together more for your animadversions upon them than as expressions of my opinion, I shall be obliged to you for your remarks with the utmost freedom and candor; as it is by discussions of this sort the judgment is informed, and plans become properly matured.

I shall not in this letter give any opinion respecting either of the other objects mentioned in yours. they are subordinate, and must all yield to New York, if means can be found to attempt that plan, upon a well grounded hope of succeeding; it is for this reason I wish to have everything relative to it, well considered before the enterprize is either adopted, or rejected. With the most perfect esteem etc.

GENERAL ORDERS

Head Quarters, Newburgh, Saturday, April 27, 1782.

Parole ———. Countersigns ———.

At a General Court Martial whereof Major Darby[52] is president, Lieutenant Robert Muzzy[53] of the 2d Massachusetts Regiment, charged with exceeding his Furlough eighty six days, was Tryed.

The Court having duly Considered the Charge and Lieutenent Muzzeys Defence are of Opinion that the reasons offered by the said Lieut. Robert Muzzey are not sufficient for his over staying the time limit in his Furlough, for altho it does not appear to the Court that his circumstances at Home were so peculiar that they required his Attendance, yet it was his dutly to have Complyed with his furlough or made application to have the limitts of his furlough lengthened, and do sentence

[52] Maj. Samuel Darby, of the Seventh Massachusetts Regiment. He was transferred to the Eighth Massachusetts Regiment in January, 1783, and served to June, 1783.

[53] Lieut. Robert Muzzey, who resigned on Apr. 30, 1782.

him to be Mulcted of his Pay and Subsistence for the said eighty six Days.

The Commander in Chief approves the Sentence of the Court Martial.

The Quarter Master General will as soon as may be furnish the Commander in Chief with an exact Return of all the Artificers in his Department; whether they be inlisted Soldiers or hired Men, specifying where they are and how they are employed.

To GOVERNOR WILLIAM GREENE

Head Quarters, April 27, 1782.

Sir: Tho' it is by no means my Opinion that the Enemy will divide their force and again take possession of Rhode Island, there are some circumstances which seem to carry such an Appearance; I therefore think it would be highly imprudent on our parts to leave any Fortifications standing on the Island [of Rhode Island] which may be of any use to them on such an Event. The Works round Newport can under no circumstances be of any advantage to us and I must therefore request your Excellency to cause them to be levelled immediately.

I am not well enough acquainted with the Situation and nature of the Work on Butts's Hill, to determine positively whether it ought to be destroyed or not; it appears to me that in case the Enemy should reocupy the Island it would be important for us to have possession of that ground; but whether on such an event possession could be kept your Excellency must determine. I have no troops to spare to Garrison it. If the Work is tenable might not a small Guard be kept in it and such Arrangements be made that (at the first Signal of the appearance of a Fleet) a number of Militia might be thrown in sufficient to keep possession of it? should you think this impracticable I would wish the Works to be destroyed.

I take the liberty to inclose a Letter from Count Rochambeau to Mr de Quemy[54] Commanding the Emerald frigate. I beg Excy to forward it with all possible dispatch to that Gentleman. I have the honor etc.[55]

To CAPTAIN JONATHAN DAYTON

Head Quarters, April 27, 1782.

Sir: I have received your Letter without Date[56] with a packet from Sir Hy Clinton.

You do not inform the Channel through which you have obtained the important Intelligence you mention; But from the positive Manner in which you transmit it, I hope it may be depended on.

It has been rumoured to me that a large Fleet has lately been seen near the Hook; but who they are or from whence they arrive is not known. I wish you to be active in collecting every Information in your power respecting the arrival or departure of their Fleets, and other important movements of the Enemy, and to be early and punctual in the conveyance of any particulars which you deem proper to be sent to me.

It will be very well for you to detain the two British Officers you mention, untill something further is determined respecting Lieut Thomas.[57] I am &c.[58]

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[54] Pierre Claude, Marquis du Quesne.

[55] The draft is in the writing of Benjamin Walker.

[56] In the *Washington Papers* under the assigned date of April 23. Dayton, who was then stationed at Elizabethtown, wrote of the capture of Minorca by the French, and of a treaty between France and Holland.

[57] Lieut. Edmund Disney Thomas, of the Second New Jersey Regiment. He served to September, 1783.

Sir Henry Clinton wrote to Washington regarding Thomas: "Being this Morning informed that an Officer under a Flag of Truce has been detained, and sensible that all Persons so circumstanced are to be held Sacred; I have, without enterring into a Discussion of the Pretence for his Detainer, directed that he be set at Liberty." Clinton's letter is in the *Washington Papers*.

[58] The draft is the writing of Jonathan Trumbull, jr.

To CHEVALIER DE LA LUZERNE

Newburgh, April 27, 1782.

Sir: I have had the Honor to receive your Excellency's Favor of the 22d instant pr Captain le Enfant.

I beg your Excellency to be assured that I feel myself happy in an Opportunity at any Time to gratify your Desires; more particularly so on the present Occasion, which I view as diffusive of the most sensible Joy to the allied Nations of France and America.

I most chearfully comply with your Excellencys Request for Capt. L'Enfant to return to Philadelphia, and to remain in that City for the Time you mention; and hope he will approve himself of great Utility to your Designs.[59] With the highest Sentiments etc.[60]

To FRANCISCO RENDON

Head Quarters, April 27, 1782.

Sir: I take pleasure in acknowledging the Receipt of your Favor of the 18th. instant, which was presented by the Count Beniousky.

The kind concern which you express for mine and Mrs Washington's personal Safety is particularly gratefull to me, and I beg you will accept my sincerest Thanks for the obliging manner, in which you have conveyed these Sentiments.

From the prospects which are presenting to View in the West Indies, we have Reason to expect Intelligence of interesting Importance from that Quarter. And as Events which take place there, may arrive to your knowledge at an early hour, and with

[59] To aid in celebrating the birth of the Dauphin.

[60] In the writing of Jonathan Trumbull, jr. From the original in the *Paris Archives, Aff. Etrang. Mems. et Docs., E. U.*, vol. 6.

great certainty, I shall at all Times hold myself obliged by the Communication of such Intelligence as you shall think proper to convey. I need not to assure you, that I shall feel a very particular Satisfaction in any Success which shall attend the Arms of his most Catholic Majesty. With very sincere Regard etc.

P. S. Permit me, in this first letter I have had the honor of writing to you since my departure from Philadelphia, again to express my sensibility of the obligations you laid me under during my residence in that City, and to assure you, that it will ever be a first pleasure with me to acknowledge them, and upon all occasions to give you proofs of the esteem etc.[61]

*TO COMTE DE BENIOWSKI

Newburgh, April 27, 1782.

[Sir: At your request, and in consequence of a Letter from His Excellency the Chevr. De la Luzerne I have given the plan which you propose to present to Congress and of which the foregoing is a translation, all the consideration I am capable of, and beg leave to observe thereupon. That] &ca.[62]

To THE SECRETARY AT WAR

Head Quarters, Newburgh, April 27, 1782.

Dear Sir: Finding the Commissioners, appointed to liquidate the accounts of Monies due for the maintenance of Prisoners, and make permanent provision for their future support, have seperated without accomplishing any thing; I think it highly

[61] The draft is in the writing of Jonathan Trumbull, jr; the P. S. is in that of Washington.

[62] At this point the draft ends with the following N. B. in Trumbull's writing: "for the Remainder of this Letter, see mine of the 12th of April 1782 to Baron Steuben; it being the same (mutatis mutandis) as that communicatg my Sentiments on the plan of Count Beniousky, to the Baron."

expedient that measures should be adopted, at this moment, for taking the German Prisoners of War into our service: As this measure has been considerably agitated, I shall not amplify upon the justice and propriety of it, which to me seem very obvious. I am equally well persuaded of the policy there will be in augmenting every Compy with at least ten of these Men, or more if they can be obtained; for I am convinced, that by such an incorporation, they will make exceedingly cheap and valuable Recruits, and being able bodied, and disciplined Men will give a strength and solidity to our Regts which they will not otherwise acquire this Campaign. All my accounts respecting the recruiting service are unfavorable; indeed, not a single recruit has arrived, (to my knowledge), from any State except Rhode Island, in consequence of the Requisitions of Congress in Decr last.

Should the plan be adopted by Congress, the sooner it is carried into execution the better. In that case, I think, the Men ought to be recruited for the Continent and not carried to the credit of the States quotas, with whose lines they are to serve. For without making any alteration in the Establishment, they may be annexed to the Regts. in such a Manner as that they can be formed into distinct Corps, whenever their fidelity and attachment shall be sufficiently evinced, if circumstances should then require. All the Matters of Bounty and Encouragement being arranged with the Financier, and the particulars of the Scheme adjusted: As soon as provision shall be made for their subsistence on the journey, I would detach a Captn. and Subn. from every Regt to receive and conduct them to the Army, so as that they may certainly join the respective Regts at farthest by the first of June. In the interim, I would beg leave to propose, lest the Enemy should attempt to counteract the design, that the business should be kept secret, until it is ripe for

execution; and then be negotiated by some Gentleman of address appointed for the purpose. I request an ansr as speedily as possible. I have the honor to be &ca.

P S. I am just favored with your Letters of the 20th and 23d Inst. I think it would be well to permit such of the Prisoners mentioned by you, to return to their Regts. as can procure testimonials in their favor. I submit the matter to your discretion.[63]

To MAJOR GENERAL WILLIAM HEATH

Newburgh, April 28, 1782.

Dear Sir: I have received your several Favs. of Yesterday. I beg you to close the matter of the damaged provisions with Messrs. Sands's; they will doubtless take them at what they may be worth, and pass them to the Credit of the United States.

I am sorry the recruitg. Service in your State wears no better an Aspect. Lieut Robinson may remain at present as an Assistt. to the Musterg Service.[64]

If any number of Recruits should be collected at the different Rendezvous Colo Badlam I fancy must yet want additional Assistance. I am etc.[65] [MS. H.S.]

To CHEVALIER DE LA LUZERNE

Head Quarters, April 28, 1782.

Sir: I am honord with your Excellencys Letter of the 20th. Inst inclosing Copy of a Letter from Count Rochambeau to

[63] The draft is in the writing of David Humphreys.

On April 27 Humphreys wrote to Col. John Crane, to remind the commanders of regiments that armorers employed under Crane's direction are to be continued in that work, and their names reported to Headquarters. "The Commander in Chief does not mean to repeat an Order twice, before it can be carried into execution." Humphreys's draft is in the *Washington Papers*.

[64] The draft has "to Colo. Badlam."

[65] In the writing of Jonathan Trumbull, jr.

you, and a Letter for Mr. de Quemy commanding the Emerald Frigate. The latter I sent immediately by Express, under cover to the Governor of Rhode Island, requesting him to send it without any delay to Mr. de Quemy.

Altho' I can hardly think that the Enemy will divide their Force and take possession of Rhode Island, I nevertheless thought it prudent to order all the Works at that place to be destroyed and accordingly Orders were sent for that purpose.

The Treasure which came in the Frigate[66] passed this place yesterday escorted by a Detachment of about 80 French Troops commanded by a Major of Royal Deux Ponts, but I am sorry to have been informed that the Effects of the Officers were sent round in two small Vessels both of which were taken.

Mrs. Washington begs me to present to you her sincere respects. I have the honor etc.[67]

*To CHEVALIER DE LA LUZERNE

Newburgh, April 28, 1782.

Sir: I receive with much gratitude the remembrances, and compliments of the principal Officers of the French Army in Virginia; and thank your Excellency for the trouble of being the bearer of them to me, and the letter from Count Rochambeau.

With equal sensibility and pleasure, I received, and do now acknowledge, my obligations to your Excellency, for the communications from your Court; which, tho' not decisive, are nevertheless important. the late instance of their generous aid, hinted at by your Excellency and particularized by Mr. Morris, is one, among a variety of important considerations, which ought

[66] Part of the last loan from France, about which secrecy was considered necessary, to prevent increasing the lethargy of the people toward supporting the war.

[67] In the writing of Benjamin Walker. From the original in the *Paris Archives, Aff. Etrang., Mems et Docs., E. U.*, vol. 6.

to bind America to France in bonds of indelible friendship and gratitude; never, I hope, to be broken asunder. Induced by that entire confidence which I repose in your Excellency, and a full conviction that a Nation, which combines her force with ours for purposes, of all others, most interesting to humanity, ought not to be deficient of any information I can give, to point objects to mean; that an accordance of them may be inseperable; I shall, without hesitation, give you the state of our present force and my ideas of the increase of it by recruits, from the best view of it which lyes before me.

It can scarcely be necessary to inform your Excellency, that our Military establishment for the present year consists of 4 Regts. of Artillery, 4 legionary and 2 partisan Corps, and 50 Regimts of Infantry; besides the Corps of Invalids. Or, that Congress have called, in pointed terms, upon each State to compleat its Regiments to the Establishment; the agregate of which, if complied with, would amount to 34,308 Men, exclusive of Commissioned Officers, Sergeants and Music; Hazen's Regiment and the Corps of Invalids. Of this force, 1 Legionary Corps, 2 Regiments of Artillery, and 22 of Infantry; besides Hazens Regiment and the Invalids; compose the Northern Army; but as Hazens Regiment is fostered by no State, discouraged from recruiting by all, and without funds if the case was otherwise, it must soon dwindle to nothing, being now very weak.

The *present* totallity of the rank and File, exclusive of Sergeants, of those Regiments which compose the Northern Army, amounts to 9,146; from this number the Sick Men in different branches of the Staff department, and such as are employed on other extra duties (which the peculiarity of our circumstances compells me to furnish from the Army) being deducted, will reduce the efficient operating force of these Corps to 7,553 Rank

and file. and I should be uncandid if I was not to acknowledge, that I do not expect it will be encreased by Recruits, in the course of the Campaign, to more than 10,000 fit for duty in the Field. This Sir, in my opinion, will be the full amount of the established Regiments of the States East of Pensylvania. To ascertain the number of Militia which may be assembled for occasional offensive operations, is more than I can do; the general opinion is, that there will be no want of Militia for any enterprise we can have in view. Be this as it may, this one thing is certain, that this class of Men are not only slow in their movements, but, undertaking to judge likewise of the propriety of them in point of time, will wait till the *necessity* for it, *strikes them;* which, in most cases, is as injurious to the Service as inability or want of inclination; disappointment being the consequence of delay. This observation I could not refrain making, because in all combined operations, especially those which may depend upon the Season, or a limited period for their execution, it is of the utmost importance to be known.

The inclosed return, which is a copy of the last state of the force under the orders of Major Genl. Greene (which has come to my hands) will give your Excellency every information in my power respecting the State, and condition of that Army; which was to be augmented by the Partizan Corps of Colo. Armand, consisting of about 200 horse and foot. Independent of these, there are two small Regiments at Fort Pitt; one from the State of Pensylvania, the other from Virginia, which are included in the general establishment of the Army, but no particular return is here had of them.

What measures are adopted by the States of Georgia and North and South Carolina to recruit their Regiments I know not. Virginia marched about 400 Men the latter end of Feby.

for the Southern Army; and by an Act of the Legislature, passed at their last Session; resolved to raise Men more; but in what forwardness they are, or what is to be expected from the act, I am equally uninformed. Maryland and Pensylvania depend upon voluntary enlistments; and are proceeding very slow in the business of recruiting; especially the latter. It is impossible for me therefore to say, to what number that Army will be increased.

This Sir, is an accurate state of the force we have at present; and my expectation of what it may be, independent of Militia.

The Enemy's Force from the best information I have been able to obtain of it, may stand thus.

	Rank & File.
At New York: Regulars, includg. their established Corps of Provincials	9000
Militia of the City Refugees and Independent companies	4000
Sailors and Marines, according to the numbr. of Ships which may in the Harbour; and this being uncertain, none can be affixed.	
present strength	13,000
Charles Town	3300
Savanna	700
Canada: Including British, German and Established Provincials.	5000
Penobscot	500
Hallifax, and its Dependencies, uncertain, but say	3500
Total	26,000

The above estimate, so far as it respects New York, Charles Town and Savanna, is, I believe, to be depended upon. The force of Canada by some accounts is more, by others less than 5000; the regular British and German Troops in that Country cannot exceed 4000; but in addition to these, are the Corps of

Sir Jno. Johnson and others; which I am told have been considerably encreased by the disaffected of this and other States, who have fled to Canada. but it is to be observed, that this force, be it what it may, is employed in the occupation of Posts from Quebec to Michillimakinac; and on the Lake Champlain, through an extent of not less than 7 or 800 Miles; and that, all these Posts are dependent upon the former for Provision and supplies of every kind. I am less certain of the Enemy's force in Nova Scotia than elsewhere. the number here given is not from recent intelligence, and may be erroneous, as their Garrisons are weakened or strengthened according to circumstances. Cumberland, Windsor, Annapolis, St. Johns River, &ca. are Posts dependent on Hallifax, and included in the 3500 Men here mentioned.

If this state of matters can be satisfactory to your Excellency or useful in the formation of any plans against the common enemy, I shall be very happy in having given it.

Permit me now Sir, to express the high sense I have of the honor you have done me in communicating the favorable Opinion entertained of my conduct by the Court, and Nation of France; and to acknowledge my obligations to those Officers who have inspired these sentiments. To stand well in the eyes of a Nation which I view as one of the first in the World; and in the opinion of a Monarch, whom I consider as the supporter of the rights of humanity; and to whom I am personally indebted for the command he has been pleased to honor me with; is highly flattering to my vanity, at the sametime it has a first claim to all my gratitude.

It is unnecessary, I hope, to add fresh assurances of the respect and esteem with which etc.[68]

[68] From the original in the *Paris Archives, Aff. Etrang., Mems. et Docs., E. U.*, vol 6.

GENERAL ORDERS

Head Quarters, Newburgh, Monday, April 29, 1782.

Parole ———. Countersigns ———.

The Contractors for Supplying Provisions to the Garrison of West Point and its Dependencies are, after the first of May, untill some Alteration is made in the disposition of the Army, to issue to the first and Second Massachusetts Brigades, the third Regiment of Artillery and such other Corps or parts of Corps as may occasionally be Stationed at West Point; they are also to supply the troops at the posts on the Eastern side of the river in that vicinity, the posts of Kings Ferry, Dobbs Ferry and Fish Kill. An issuing Store must also be established by them at Newburgh or New Windsor. The remainder of the troops are to be supplyed under the Contract for furnishing the moving Army.

The Commanding Officer of the Garrison of West Point will upon application of the Contractors give such information as may be necessary of the Number of Rations to be issued from time to time at the Posts above Mentioned.

The System on which Provisions are in future to be issued, First. When a regiment, independent Corps or Detachment, are to draw Provisions, their proper Quarter Master or some Commissioned Officer appointed in orders to do his duty, shall make out and sign a Provision Return Setting fourth in Colums the Number of Persons, with their Ranks Or Stations, the Number of pays to be drawn for, the commencing and ending of the time, both days included, and the number of rations, this Return to be Countersigned by the Commanding officer of such regiment, Corps or detachment; When the Contractors shall have issued the Provisions and have taken a receipt signed by the proper Quarter Master, or officer doing his duty, by the

Commanding Officer of a Detachment, Quarter Master Serjeant or some person in his absence, not under the rank of Serjeant, This return and receipt so executed shall be admitted at the Treasury as a sufficient voucher for the Contractors.

2ndly. All orders for Provisions for General Officers, and the Quarter Master General, and their families, shall be signed by themselves, or one of their Aids or Assistants; and a receipt signed by the Servant who shall receive it shall be a Sufficient voucher for the Contractors.

3rdly. No person whatever, in the departments of Quarter Master Genl. and of Millitary Stores shall sign any order or return for Provisions, excepting the Heads of those Departments, or such persons as shall be respectively appointed by them to perform this business; of such appointments the Contractors are to have Notice in Writing. No returns are to be made for any but those who are Necessarily employed in the said departments and who do not draw Provisions in any other Character. The rations, allow'd to each individual must be fix't and the returns must Specify the Number, Stations or occupations of the persons, the Numbr. of days to be drawn for, the Commencing and ending of the time, both days included, and the Number of rations in the whole; This return with proper receipts shall be sufficient vouchers for the Contractors. No fatigue rations to be issued in either of the departments of Quarter Masters Generals or Military Stores but by the particular Authority of the Superior Officer, a copy of whose orders must be Transmitted Monthly, with the Contractors Amounts.

4thly, Hospital: No officer or other person whatever, belonging to the General Hospital, shall sign or Countersign any orders or returns for Provisions, or Hospital Stores excepting the Superior Officer of that department at the post or place where such Provisions or stores are Necessary to be drawn; such Superior

officer shall make out and sign two returns as follows viz. One return for all the Sick and Convalescents under his care, setting forth the Number of persons, the Number of days to be drawn for, with the commencing and ending of the time, both days included; the Number of rations, and at what allowance p. day for each class of sick or Convalescents; also pointing out by different lines, what regiments or Corps the persons belong to. This return with a proper receipt, signed by the Steward of the Hospital will be a voucher; he shall make and sign another return for himself and all the Officers and others under his Command or direction, setting fourth the Number of persons with their rank or stations, in distinct Columns, the Number of days to be drawn for, with the Commencing and ending of the time, both days included, and the number of rations; This return with a proper receipt or receipts will be a voucher. When such superior Officer draws an order for Hospital stores he shall express the Articles in Words at full length, and the Steward of the Hospital shall sign a proper receipt for them in like words also. No fatigue rations to be allowed any person in the department, except by order of the Physician or Surgeon Genl., a Copy of which order to be Transmitted with the Contractors Accounts.

5thly. All orders or returns for Provisions, for Prisoners of War at settled Posts must be signed by the Commissary of Prisoners or Town Major, if none, to be Countersigned by our Commanding Officer if any. These returns must shew in proper Columns the Number of each rank and station as also the Women and Children allowed to draw with the Number of rations to be drawn, the Number of days, with the Commencing and ending of the time. No prisoners are to draw more than two thirds of a ration, and that without liquor, saving such who are allowed otherwise by Capetulation; where whole

rations are allowed, Vegetables and other Articles are to be Substituted for the liquor. In no returns is liquor to be drawn for the women with the prisoners, or any Compensation made for it. No Provisions to be drawn for any Prisoners who are out at Work.

6thly. The Commanding Officer of any Corps passing a post, shall sign the Orders for Provisions for such Corps, to be Countersigned by the Commanding Officer of the Post if senior; but for Detachments not Commanded by a Commissioned Officer, the Order must be signed by the Officer then Commanding at the post.

7thly. All soldiers acting as Servants with Arms, shall draw with their Corps, and all such soldiers who are annexed to Officers and are without Arms shall be drawn for by the Officers respectively with whom they serve.

8thly. As all victualling Returns are to be examined and checked at the War Office, in all the returns of Regiments and independent Corps, the absentee will be accounted for on the back of the returns.

To MAJOR GENERAL HENRY KNOX AND GOUVERNEUR MORRIS

Head Quarters, Newburgh, April 30, 1782.

Gentlemen: It is with great pleasure, I make use of the earliest occasion to acknowledge the receipt of your several Dispatches, by Col. Smith, which contain an ample account of your Proceedings in consequence of the Commission you were charged with by me. I have also received from Sir Henry Clinton an abstract of the same negotiations as stated by his Commissioners. From the whole Aspect of the matter, I have little

doubt, the reasons you mention as the operating principles with the Enemy; have been the real cause of defeating the success of a Negotiation so desirable in itself and which promised to be so beneficial in its consequences.

I have transmitted to Congress a Copy of your Report, and have submitted solely to their decision the subject of future Exchanges not less lamenting the unreasonableness of our Enemies, than regretting the Miseries of War, which may be augmented and protracted by such unreasonable conduct.

I should do injustice to my own feelings on this occasion, if I did not express something beyond my bare approbation of the attention, address and ability exhibited by you, Gentlemen, in the course of this tedious and fruitless Negotiation; the want of having succeeded in the great objects of your Mission, does not however lessen, in my estimation, the merit which is due to the unwearied assiduity for the public good and the benevolent zeal to alleviate the distresses of the Unfortunate, which seem to have actuated you on every occasion, and for which I entreat you will be pleased to accept my most cordial thanks, and at the same time believe, that I am etc.[69]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburgh, April 30, 1782.

Dear Sir: Your two favors of yesterday, with their enclosures, were duly delivered to me.

I do not think any considerable alteration, need be made, respecting the out Posts, I approve your holding the Troops you mention, in readiness to support them; but it would not be eligable, to advance any more Artillery at present. The

[69] The draft is in the writing of David Humphreys.

Detachments on the Lines, ought to be extremely vigilant. I have written to Mr. Sands, to furnish the Reserves, agreably to your requisition of the 6th. of Feby. last, and have no doubt of his compliance. I am etc.[70] [MS.H.S.]

GENERAL ORDERS

Head Quarters, Newburgh, Tuesday, April 30, 1782.

Parole ———. Countersigns ———.

A return of public boats specifying the different Species, condition, where and in whose Possession or care they are, is positively to be given in by the 6th. of May. The acting Quarter Master with the Army is directed to have all the Boats from Kings ferry to Wappings Creek inclusive collected immediately at the last mentioned place, except such as are so Necessary for the common purposes of the Army, that the duty cannot be done without them; He will Consult with Major General Heath and the Commandant of West Point to determine this, the preservation of the Boats in use must be attended to more strictly and the Officers or persons in whose charge they are left, must give their receipts, and will be held personally responsible for them; such flatt bottomed boats and Batteaux as are not fit for service are to be repaired without loss of time.

It is expected the Company of Watermen under the direction of the Quarter Master will at least be Competent to take care of the Boats; If more aid is necessary it will be granted, but no excuse for Negligence or Waste in such an important Article shall in future be admitted.

The Honorable the Congress have been pleased to pass the following Resolve.

[70] In the writing of William Stephens Smith.

By the United States in Congress Assembled, April 22, 1782.

Resolved, That from and after the first day of May next, all resolves of Congress, heretofore passed relative to rations, subsistence or allowances to officers over and above their pay, and what they are intitled to from the quarter master department, except the allowance to the general commanding the southern army, be, and they are hereby repeal'd: that from and after the first day of May next, each officer shall be intitled to draw daily the number of rations, and to receive monthly as subsistance the number of dollars and parts of dollars, affixed to their several ranks, viz.

	Rations per day.	Dols. per month.
A major general,	5	31 60–90
A brigadier general,	4	25 30–90
A colonel,	2	12 60–90
A lieut. colonel commandant,	2	12 60–90
A lieutenant colonel,	1½	11
Major,	1½	8
Chaplain,	1½	8
Captain,	1	6 30–90
Subaltern,	1	3 15–90
Surgeon,	1½	4 60–90
Surgeon's mate,	1	3 15–90
Quartermaster general,	4	25 30–90
Deputy quartermaster with southern army,	2	12 60–90
Deputy paymaster with ditto,	1½	11
Deputy cloathier with the army,	1	3 15–90
Deputy postmaster of the army,	1	
Commissary of forage,	1½	11
Field commissary,	1	6 30–90
Ditto, southern army,	1	6 30–90
Director general of the hospital,	2	
Chief physician and surgeon,	2	
Hospital surgeon,	1	
Mate,	1	
Steward,	1	
Ward-master,	1	

All officers in the line of the army employed in any of the staff departments, shall be entitled, while acting therein to draw the same number of rations and like subsistance to which they are entitled by their ranks in the army; and when any persons, not in the line of the army, are employed in any of the staff departments, they shall be entitled to draw the same number of rations

and subsistence as officers of the line, acting in similar stations in the staff with them, are entitled to draw. No compensation shall hereafter be made to those officers who shall neglect to draw rations to which they are entitled.

To COMFORT SANDS

Head Quarters, Newburgh, April 30, 1782.

Sir: As the Contractors for supplying the Garrison of West Point &c are to keep constantly on hand a sufficient quantity of the Articles composing a Ration, for one Month's supply of such Posts falling under this Contract as shall be pointed out to them, by the Secry at War or Commandg Officer &c. I must therefore request you will pay the most pointed attention to the Requisition of Major Genl Heath on this subject, as stated in his letter to you of the 6th of Febry last. I need not inform you, that the want of compliance might be attended with very serious consequences; I am therefore persuaded you will constantly make such Arrangements as will render any future applications unnecessary. I am etc.[71]

To THE PRESIDENT OF CONGRESS

Headquarters, April 30, 1782.

Sir: I have the Honor to transmit to your Excelly. Copies of the Minutes of proceedgs. and Report of my Commissers. appointed to meet Comers. on the part of the British Genl Sir Hy Clinton, for the purposes mentioned in their Instructions (Copy of which is herewith communicated).

A private Letter from my Commissioners, and a Letter from Sir Hy Clinton, both written in Consequence of this Negotiation, are also inclosed for the Observation of Congress.

[71] The draft is in the writing of David Humphreys.

After this Display of the Subject, it is unnecessary, and it might be improper for me to make any Observations on these papers. I submit them to the Wisdom of Congress; and have only to Beg, for my own Direction, that I may be early informed of their Determination, how far any future Exchanges of prisoners of War shall be continued, under the practice which has been formerly adopted for that purpose.

I beg leave to point the Attention of Congress particularly to that part of the Commissrs Letter to me which mentions the Extension of a pardon to the Refugees in Service of the Enemy. Their Ideas on this Subject are so perfectly consonant to my own, formed on the principles of Policy and Expediency, that I cannot omit to notice it; and to Submit to the Consideration of Congress, whether the adopting this Measure, under proper Restrictions, may not be attended with happy Consequences to our Cause, and be equally productive of Ruin and Confusion to the British Interests in America.

Lamenting that the Benevolence of my Intentions, has been so totally defeated by the unhappy and fruitless Issue of this Negotiation, I have only to add that with the most perfect Regard etc.[72]

To COMFORT SANDS & CO.

Head Quarters, Newburgh, May 1, 1782.

Sir: You will issue Provision to the People employed in the Departments of the Quarter Master Gen and Comissy of Military Stores, upon the Returns of the Principals of those Departments now with the Army, until Notice of the new system of issues can be given by them to the Quarter Master Gen and Commissy of Military Stores, and their directions transmitted to the Contractors. I am etc.[73]

[72] The draft is in the writing of Jonathan Trumbull, jr.
[73] The draft is in the writing of David Humphreys.

To THE SECRETARY AT WAR

May 1, 1782.

Sir: The inclosed Observations on the Nature and practice of Challenges, have been produced in Consequence of the Trial of M. Genl McDougall upon the Arrest of M Gl. Heath.

On this Occasion M Genl McDougal havg made Objections to several Members composing this Court, and no rules having been prescribed by Congress for the Regulation or Extent of these Objections, much Delay and some Difficulty have been[74] experienced.

For my future Government in Cases of this Nature, I wish you to submit the Matter to Congress and to obtain their Determination how far the practice of Challenges in Courts Martial shall be allowed, and to what Extent and for what Reasons, they shall be admitted.

You are sensible that By the Inspection Regulations, the Department of the Adjutant Genl is just afloat; this Matter was mentioned by me before my Departure from Philadelphia and a plan proposed. Genl Hand, on his Arrival informs me that nothing has been yet done to put it upon its proper Footing. You will readily perceive the absolute Necessity of takg up this Matter, and I beg you will take the earliest Opportunity to call the Attention of Congress to this Arrangement.

Much Uneasiness, I perceive is like to arise from the late Regulations for the Issues of Rations to the Officers after the 1st of May; in many Instances the Gentlemen conceive the Number assigned them inadequate to their Necessities, and their Circumstances will not admit their procuring provisions in any other Way: And this Grievance will be increased in their

[74] At this point in the draft the following is crossed out: "occasioned in the Formation of a Court Martial for the Above Tryal."

Apprehension, by an Order to remove the Pay Office from the Army to Phila. by which Means the Delay and Expence of procuring their Subsistence Money will be severely felt by them. If an Alteration in this ordonnance could be effected in Congress, it would be very agreeable to me. What these Alterations should be, your own knowledge of the Circumstances and Situation of our Officers, will as readily suggest, as I can dictate; but if it is not absolutely necessary, that a precise Number of Rations should be assigned them, I should suppose it would be better, under proper Restrictions, to revert to the former Mode, of their drawg. upon Option, not exceedg their several Allowances.

If the Pay M Genl is to have no Office or Money in Camp, how are my Warrants for Contingencies to be paid? or how is the Expence of Regimental P Masters or Agents to be borne while attendg their Settlements in Phila. and obtaing their Money. In the former Case, in many Instances, the Expence of gettg the Money, may exceed the Sum of the Warrant. I am &c.[75]

To THE SUPERINTENDENT OF FINANCE

Head Quarters, Newburgh, May 1, 1782.

Sir: I have had the honor to receive your Letter of the 22nd of April respecting the interference of the Contract for the Moving Army with the Contract for supplying the Troops in Jersey. I am happy to find your Ideas coincide so well with my own. And as no application has been made to me on the subject by the Contractors, I hope and expect these matters will be settled without coming before me.

By the enclosed Copy of a Letter to Mr. Sands you will be made more fully acquainted with my sentiments on the

[75] The draft is in the writing of Jonathan Trumbull, jr.

interference of the Contracts; I have besides informed some of the Contractors in conversation, that I cannot and will not, after that warning, be embarrassed by an attention to the interest of Individuals, so as to prevent my disposing of the Troops under my command in the most advantageous manner I am able. They seem to be sensible of the propriety of my observations, and disposed to do every thing that is just and equitable in the premises, remarking only that it would take some time, where there are so many seperate interests concerned, to bring about an Arrangement upon so large a scale. I have the honor etc.[76]

*MEMORANDUM[77]

Newburgh, May 1, 1782.

Unacquainted with the determinations of the Court of France respecting the succour which may, in their extensive arrangements for the Campaign of 1782, be generously extended to the Service of America; or indeed know-what to expect from the States, in consequence of the requisitions of Congress for Men and Supplies; it is impossible to point operations to particular objects. But as it may give facility to future determinations, to take a comprehensive view of the Enemys strength in different parts of America, and see with what force and means, in what manner, and with what prospect, it can best be assailed, the following statements are made, and thoughts result.

The enemys effective force in America, from the best information that has been received of it, may be estimated as follows, viz.

[76] The draft is in the writing of David Humphreys.

[77] Indorsed by Washington: "A Genl. view of the American and British Force. The disposition of each. And differt. Enterprizes in wch the former (under certain circumstances) may be employed in the Campaign of 178[2]."

First		
At New York and its Dependencies—	Rank and File	
Regulars, including the established Provenl. Corps	9000	
City Militia, Independent Companies, and Refugees	4000	
Sailors and Marines, as these depend upon circumstans. will be put down	———	13,000
Second		
Southern States, viz.		
Charles Town	3,300	
Savanna	700	4,000
Third		
Canada, Regulars and established Provencials		5,000
fourth		
Hallifax, and Penobscot, viz.		
Hallifax and its Dependencies	3500	
Penobscot	500	4000
Total.....		26000

The foregoing estimate exhibits four distinct objects to view; each of which, tho' in different degrees, is important; and worthy of consideration.

The first is, undoubtedly, of the greatest magnitude; and the most beneficial consequences will result from a successful operation against it; consequently it is to be preferred if our force and means are adequate to the enterprise, and the season should favor; these are matters of very serious consideration, as a disappointment would not only disgrace our Arms, but wou'd involve the States in a heavy and ruinous expence.

Whether the Second or third should claim our next attention (if we are unable to prosecute the first) is a metter of serious

enquiry, and can best be determined by a comparative and impartial view of the advantages of each; which, as far as my knowledge of them extend, I will state, in favor of

CAROLINA AND GEORGIA

The wishes, the feelings, the long sufferings, and the distresses of the Southern States in general, and these two in particular, especially in the deprivation of their Capitols, their trade, (which is of such a nature as to make favourable remittances for continental, as well as local purposes), and the principal Gentlemen of the Country of their homes, and the comforts of life, must have great weight in this scale.

Especially when it is considered, what effect the disappointment might have upon the Minds of a people who have already conceived themselves neglected, and who, just beginning to immerse from the deplorable situation into which their Country had been thrown by the cruel invasion of it, are now exerting themselves to support the common cause, in high expectation, more than probable of being speedily emancipated from the force which at present possesses their Capitols.

Under these circumstances, it may be difficult to bring to their view remote advantages, tho' ever so important, upon the large or general Scale, and if disgust and resentment should be the consequence of disappointment, it may have an unhappy influence on our Plans, in our Councils, and upon our public measures in general.

Besides, there is one powerful argument in favor of the Southern Expedition (if we can be effectually covered by a fleet, without which it is folly even to think of one) and that is, a moral certainty of success, for knowing the number of the enemy wch. compose the Garrisons of Charles Town and Savanna, and the strength of their Works, and that they have no

exterior resources, we can adduce such a force as cannt., upon the common rules of calcualtion, fail to insure success.

Whereas many unforeseen difficulties may cast up in Canada, we may find, notwithstanding the flattering accts. of the friendly disposition of its Inhabitants, and their wishes to be released from the Yoke of British tyranny, that a hostile disposition may appear in many of them, whilst a painful neutrality prevades the rest.

Add to these reasons, that under the most favourable circumstances that can reasonably be expected, one campaign can do little more than give us a firm establishment in the Country, and *perhaps,* possession of their upper Posts. To expect the conquest of Quebec the same Season, unless by the dispersion of the force in Canada, and the impracticability of assembling it, we should find Quebec weakly Garrisoned, illy provided with provisions, or Military Stores, or a disposition in the Country to rise, as one man, to exterminate the British force, would exhibit greater proofs of a sanguine temper, than a deliberate judgment.

CANADA.[78]

The annexation of so capitol a Province as this (Canada) to the Federal Union, the consequent subduction of all the Northern and Western Indians, and the restoration of Peace and quietness to such an extensive Frontier as we have from the River St. Johns in the Bay of Fundy to the Holstein in No. Carolina, are matters of great moment, and worthy of the most serious attention. especially too when it is considered, that in the case of Charles Town and Savanna, if the enemy can be confined with in their lines, the Inhabitants of So. Carolina and Georgia are suffering a temporary suspension *only* of their

[78] In the draft Canada parallels Carolina and Georgia, making two columns of manuscript on each page.

property in, and the inconveniences of, those Towns; and some impediments to their Trade, whereas in the other case, multitudes of helpless families (which it is impossible to protect) are daily murdered, or carried into hopeless captivity by the Savages, whole Settlements destroyed, and our Northern and Western frontier of more than a thousand miles in extent continually retreating before a cruel and blood thirsty enemy, who desolate as they go.

Besides these, an Expedition into Canada would at once develop the misterious conduct of the people of Vermont, bring them to an explanation in a manner of all others the most advantageous to us, and unexceptionable to themselves, disconcert the projects of the enemy if they are in league with the rulers of those people, and turn the arms and resources with which they were flattered, against them. for the Vermonteese having often sollicited an Expedition into Canada, with strong assurances of support, durst not refuse their aid if called upon, when a heavy body of Troops were marching through their Country; avowedly, and apparently to remove the source of the evils they have complain'd of, and which has been the ostensible reason assigned for their temporising conduct with the enemy in Canada.

To these considerations may be added, that an expedition into that Country, if undertaken with sufficient means, and in a proper season and manner, will cost really little more than the expensive, but ineffectual modes which are now pursuing by the Continent agregately, and the States individually, for defence of them; while the latter is an annual expence under all the disadvantages and evils here enumerated; and the other, by putting the axe to the root, would remove the cause; and make a radical cure.

I shall say nothing of the benefits which America would derive, and the injury Great Britain must sustain, by the Fur and other trade of Canada shifting hands. Nor of the immense importance it must be to the future peace and quiet of these States; especially the Western parts of them, to annihilate the British Interest in that Country; thereby putting a stop to their intrieguing after Peace shall be established. these are too obvious to stand in need of illustration, they will speak for themselves.

To all which may be added by way of questions, proper for Gentn. of the Navy to resolve; Whether a Fleet sufficient to protect the siege of Charles Town can lye there in safety during the operation? Whether Chesapeake Bay, which is the nearest port for Ships of the Line, would afford sufficient cover, and give proper security to the Besiegers and their Convoys during the Siege? and what will be the probable consequences of the Enterprise, if both these questions should be resolved in the negative.

HALLIFAX

With which I connect Penobscot, is, of the four Statements, least important, considered in a seperate point of view but if our force should be unequal to the enterprise against New York; or other circumstances should render the attack of that place unadvisable, and we could nevertheless combine these with Canada and carry on both expeditions at once with a probability of success; it would add much weight to the reasons given in support of an Expedition into that Country; and in case of success, would be of the utmost importance; as it would add much, not only to the security of the trade of Canada, but the United States in General. Give a well grounded hope of rescuing the Fisheries from Great Britain, which will most essentially injure her Marine, while it would lay a foundation, on which to build one

of our own. It would confine the enemy to one harbor, and if that (New York) should be taken from them, deprive them of every port in America; thereby adding greatly to the security of our Shipping upon this Coast. They would in that case have no Port in which they cd. heave down and refit their heavy Ships, their West India Islands (if any should remain to them) would be considerably distressed in the Article of Lumber. And lastly, another Provence (Nova Scotia) which sometime ago was very desirous of it, would be added to the Federal Union.

Having given these general ideas respecting the objects which invite to Military enterprises, I will next make an estimate of the force which, in my judgemt. is necessary to each. but it must be established as positions.

First. That to undertake the reduction of New York, upon a well grounded plan, indeed with any hope of success, we must not only have a superior Naval force, but a moral certainty of maintaining it. and that that force or part of it, ought, if *possible,* to be in possession of the harbor, to cover the Besiegers, secure their communications, and facilitate transportation, at the sametime that the enemy, thereby, are effectually deprived of Succours and Supplies.

Second, That to undertake the Reduction of Charles Town, or Hallifax, without having, and holding, such Naval Force, would be folly in the extreme.

Third. That tho' a Naval force wd. be advantageous, and might greatly facilitate the entire Conquest of Canada, it is not absolutely necessary to the establishment of a force in the heart of the Country. In a Siege of Quebec, for the purpose of Conveying Ordnance, Stores and Provisions proper for it, and depriving the Enemy of all succour by Sea, a few Ships in the St. Lawrence (Frigates might answer) would be highly necessary.

The above, being the Basis on which either of the Enterprises here mentioned should be undertaken, I think upon every rule of Military propriety we should have for the attempt against

NEW YORK

Three times the force which composes the Garrison of it, to enable us to carry on the Siege with spirit and vigour, and to give a well grounded hope of a successful issue. Less than this number, considering the Posts we shall have to occupy, and communications to establish, would reduce us to one point of attack; or subject us to the hazard of being beaten in detail if we attempted two; when the propriety of approaching the City by the way of Brooklyn and York Island at, or about the same-time, is so obviously necessary to a vigorous siege, that nothing but inability should dispense with it. Upon this calculation then:

New York will require . . . . . 39000 Men. But as it may be difficult to obtain these, as a less number in a greater space of time may effect the reduction of the place, and as an attempt (even under these disadvantages) may be preferable to any other enterprise, it may be asked.

First. What is the smallest number of Men with which the Siege of N York can be undertaken under these Circumstances?

Second. To how late a period of the Campaign can the commencement of the operation be delayed, without hazarding a defeat from the cold of the Autumn?

Third. Whether we may rely absolutely upon the support of the Fleet during the operation, be it long or short, early or late, in the Season?

The Orders of the Court of France, or the Admiral alone, can determine the last; but with respect to the other two, I think 25,000 effective Men, fifteen thousand of which to be regular

Troops, have a tolerable good chance of reducing the Post in less than three Months, consequently, the commencement ought not to be delayed beyond the first of September, as the difficulty, proceeding from the want of *wood alone* will be found almost, if not quite unsurmountable; especially upon York Island (where there is not a stick) unless we can secure the Navigation of the No. River, by passing a Frigate or two above the Enemy's Works.

CHARLES TOWN AND SAVANNA.

Are here classed together, because there can be little doubt of the latter's being united to the former, upon the first appearance of a movement that way; if it can be done. For this Service, I shd. suppose 8,000 Men in addition to the regular force with Genl. Greene, and such aids as the Country can throw in, if necessary, will be fully competent to the Enterprise, which cannot, or Acct. of the heat, and sickly Season, be commenced before October.

CANADA

If the Expedition is sufficiently masked, it will not require (to march by Land) more than 8000 Men; for altho' some accounts make the force of the enemy in that Country equal to this number, yet dispersed as it is, and so far a part, if the intention is concealed till the moment of execution, and the movements are then rapid, it will be impossible to assemble it in time, to oppose such a body. Two thousand in addition to these, to go round by water as has been already mentioned, and for the purpose expressed, would make a firm establishment in the heart of that Country, and very probably reduce every Post in it by January, except Quebec; the conquest of which, as has been observed before, depends upon contingencies.

If the Expedition is wholly conducted by Land, about the first of Septemr. will be the best time to begin the March, on

account of the Roads, the Waters, and the Provision; for harvest being then over, Bread and Forage will be plenty on the Routs the Army will move, and in Canada; and it will be too late for the enemy to send reinforcements, or supplies into that Country.

If it is to be by Land and Water, the sooner perhaps it commences the better, because a supply of Provisions can be sent round in the Transports; and the Ships of War will cut of all succur to the Enemy; and their supplies of every kind.

HALLIFAX

I can say less to than any other object having no late accts. of the strength of the Works, number of the Garrison, or temper of the Inhabitants; the best information however, which I have been able to obtain, the first has been encreased, and considerably strengthened within the last two or three years. the second may be abt. what I have estimated them at, and with regard to the third, nothing decisive can be said. The whole amount of the Militia of that Government is about 5,000; and sometime ago they were very desirous of being united with the Confederated States of America; but what changes or Revolutions may have taken place in their system of Politicks, from the little, or no prospect of emancipation held up to them, I cannot undertake to determine. Under the best view of the matter I have, I should think less than, 8,000 Men wd. be inadequate.

BURMUDA

Being rather extraneous, was not taken into the general view; but as it is a harbour from which many Privateers are sent to annoy our Trade; as great part of the Inhabitants are well affected to the American Cause; wish to be connected with us, and depend in a very great degree upon America for subsistence, it may not be amiss to give it some consideration, as

circumstances in the course of the Campaign may lead to the Conquest of this Island, without incurring much expence, or interfering with other Plans. Policy in this case may invite the measure whether it is adopted with a view of retaining, or ceding the Island by way of composition at a general pacification.

The force on the Island, by the best accounts I have had from thence does not exceed three or 400 Invalids, in unimportant works, commanded by higher ground within a short distance.

One 50 Gun Ship and three or four Frigates, with about 1,000 Land Troops (to be transported in the Frigates) would be competent, it is conceived, to the reduction of this Island; if the Enterprise is properly conducted and accompanied in the first instance with such offers as will be pleasing to the Inhabitants.

Having in the preceeding pages pointed to the different objects which present themselves to view, the strength of each, and the force requisite for its subduction; I shall next give my ideas of the mode of attacking them, or such of them, as my knowledge of their situation will enable me to form a judgment upon; and first of

NEW YORK

The mode of attacking this place must depend, in great measure, upon a pretty accurate knowledge of what our Force will be at the time fixed upon for the commencement of the operation, for if it should be adjudged competent, and the measure, in its nature practicable without considerable loss, we ought, in my opinion, to make two approaches at, or about the sametime. If it is not, the principal part of our force must be conducted to one point; and the attacks must succeed, instead of being combined with each other. In either case the approaches may differ, the fairest way therefore, of determining upon the best, is to consider

First. The present situation of the force we are actually possessed of.

Second. From whence our Succours are to come.

Third. The points from whence our Provision, Siege Artillery, Military Stores, Boats and other supplies are to be drawn. and.

Fourth. Which is essentially necessary, whether possession of the interior Harbour of New York by the French Fleet can be so far depended upon, as to warrant anterior movements which may prove pernicious if this event should not happen. and above all, whether it will engage to cooperate to the end of the Siege, be it long or short.

With respect to the first, it is very immaterial so far as the Continental Troops are concerned, because they can be moved to any point with almost equal convenience; but if the French Army is to march by Land from Virginia, their going to Staten Island (one of the approaches to Brooklyn) or to Westchester will make a difference of ten days, allowing for the passage of the North River

As I shall include Maryland among the States which will be called upon for Militia, and New York is nearly as convenient to one point as another $^{2}0/_{37}$ths of the whole requisition will be demanded of Connecticut, and the States Eastward of it. $^{15}/_{37}$ths of New Jersey and those South of it; and the remaining $^{2}/_{37}$ths will come from New York, which is full information respecting the Second article of succours.

With respect to the third, the greatest part of the siege Artillery, a large proportion of shott, shells and other Military Stores, lay at Philadelphia; and in the Jerseys. The Boats are in the North River and Eastward of it; and a good deal of the Powder is deposited at West point, and in the Vicinity of it. The Flour is to be transported principally from New Jersey

and the States Southward of it, and the Beef will come on foot from the Eastward.

On the 4th. Article I can form no decisive opinion; but full and absolute possession of the harbour is of such immense importance in an attack upon New York, and will contribute so much to the security of our Communications, safety of our Convoys, and speedy reduction of the Garrison, that no means ought, in my opinion, to be left unessayed to accomplish it, and in the weak and defenceless state the harbour is in at present, nothing would be more easy and certain than to effect this by surprize; if the Squadron destined for this Coast could detach previous to its Sailing from the West Indies, a few Ships to gain possession; thereby facilitating the entrance of the others; which might, and indeed ought, speedily to follow.

The Lines on York Island, and the Works at Brooklyn are the two avenues to the Town. To arrive at the first, there is but one way, except it can be done by Stratagem (which is too precarious to be admitted into any Plan) and that is, by forcing the passage of the Harlaem River. The approach to the second may be either by Staten Island or Frogs Neck, (if it shd. be preferred to Morrissania); each of which, supposing the Fleet to be in possession of the Bay, which is to be considered as a Basis, has its advantages as follow.

STATEN ISLAND.

Would, in the very commencement of our movements to Invest New York, give us all the advantages of a free intercourse, and perfect cooperation with the Fleet. Would afford protection to it under all circumstances, and at all Seasons; even supposing it to be blocked by a superior Navy. Would be convenient to the French Troops Marching from Virginia; more convenient to any which may arrive in the Fleet to debark at, than any other place. More advantageous on account

of the heavy Artillery, Stores &ca. which may come in, or belong to the Fleet; or which shall be transported from Phila. or Virginia by Water. and much more convenient to all such as shall be transported by Land from either of those places, or the Furnices in N. Jersey. It will be nearer to our Supplies of Bd. and Flour. More contiguous to Brooklyn; and much more so to Bergen and Paulus hook. It cuts off (with the assistance of a Ship or two in the Sound) every possibility of a retreat of the Enemy; and, more than probably, would possess, unexpectedly, the Forage and other resources which they may be holding in reserve on Staten and Long Island; while they attempt to forage, or destroy the Grain and Grass in Westchester, with a view of depriving us of them. Besides the reasons here given, we should be more convenient to the Forage of Jersey, and the States South of it; from whence the greater part of this article must come, and it might act as a stimulous to the Militia of those States, as their march would be shortned by it.

FROGS NECK OR MORRISSANIA.[79]

Is equally, indeed more convenient, to the Continental Troops and York Militia than Staten Island, and is much more so to the Militia Eastward of the North River. It is more convenient on account of the Boats, and our Beef Cattle. It will also be an advantageous position so soon as a force sufficient to maintain it, can be assembled. It looks equally to York and Long Island; and may have Works thrown up to facilitate the passage to either, or both, as circumstances may point, while the Enemy, by being suspended between the two, will either neglect one or weaken both. The Communication between the Main and Long Island may be rendered easier and more

[79] In the draft Frogs Neck or Morrisania parallels Staten Island, making two columns of manuscript on each page.

secure; consequently, a retreat in case of a disaster, safer by the way of Frogs Neck or Morrissania than by that of Staten Island; because in the first case, there is only one Water to cross, which may be covered by Batteries, and in the other, two; one of which (from Staten to Long Island) is rather difficult and uncertain; and should we not possess, or by any mischance loose, the command of the Bay between the Narrows and the City, might become very dangerous. On the other hand, our Land communication from the place of disembarkation, will, when we are established before Brooklyn, not only be much shorter by the way of Staten Island, but more secure than the other by Frogs Neck or Morrissania; as the first may be reduced to about two Miles of good road, with a covered Flank. the latter will be at least twelve of rugged road, with a Flank exposed to Partizan strokes of the enemy from New York the greatest part of the way.

Under this State of Matters, it is not easy to determine on which side to incline. To approach by the way of Westchester, seems to be the safest; by Staten Island, the most convenient. If the latter should be adopted, it will, more than probable, draw the principal part, if not the whole of the enemys force from the North end of York Island to the City; but whether it does or not, there should be a body of five or 6000 Militia and a few Continental Troops in the vicinity of Kings bridge, to complete the Investiture of the Island, establish communications, and be ready to take advantage of circumstances. If the former should be prefered, the effect will be reversed; and except the Guards which may be necessary for the City, and the Stores that are in it, the whole force of the enemy will, I expect, take a position at McGowans heights; where the Island being narrow, and ground commanding, they could maintain

themselves in the Works they now have, or could soon throw up, against numbers much superior to their own: and would only be drawn from it by a movement to Brooklyn, by way of Morrissania or Frogs Neck.

Upon the whole, if our force was such as to enable us to make two attacks, and each division was decidedly superior to the enemys whole force, I should, in that case, be of opinion

That we had better approach New York by the way of Staten Island and Westchester at the same time; because by beginning at the two extreme points, we shall distract the enemy and oblige them to give up one, or weaken themselves at both ends of York Island. If it is not sufficient, I then think

That the safety of operating by the way of Westchester; The advantages of looking to two points, viz: York and long Island at the sametime, and of Assembling our force, and advancing as we acquire strength, and can do it with safety, is to be preferred to the conveniency of Staten Island, especially as the propriety of approaching by the latter, depends upon the position of the French Fleet, of which we can have no previous assurance.

CHARLES TOWN

If Charles Town should be the object of the Campaign, the French and other Troops destined for this Service must be transported by Water; so must the Siege and other Artillery, Ordnance and other Stores, Flour, Salt Provision, Salt and Spirits. A Land Transportation of Artillery and Military stores adequate to the Siege of this place, would, in our circumstances, be found impracticable, and to March Men thither by Land, would, (as we have too often experienced already) dissipate half of them by sickness, desertion, and other Causes. The Artillery and Saddle Horses might go by Land, and by preceeding the embarkation of the Troops, reach some given point

by the time the Transports arrive at the Port to which they are destined.

For the Voyage, and support of the Troops in the first stages of the Siege, till the resources of the Country can be collected, we ought to go provided with at least two months Provision, three would be still better.

Philadelphia, under present circumstances and appearances, seems best adapted for the Embarkation; as a sufficient number of Transports may probably be had there; and any number, if brought there, can be fitted for the accomodation of Troops.

The most convenient, and advantageous place to debark at would be Stono Inlet; provided the Banks of the River bearing that name (and seperating Johns and Jamess Islands) are not possessed and fortified by the Enemy. This Inlet, while that of Charles Town is in possession of the enemy, not only affords the best Harbour for the Transports, but is the most convenient approach from the Sea to the City. the most advantageous for forming a junction with the Troops under the command of Majr. Genl. Greene, and for cutting of the retreat of the Garrison of Savanna to Charles Town. and measures must be previously taken by Genl. Greene to prevent their doing it to St. Augustine, by Land.

To go into a minute detail of the Approaches from the place of debarkation to the Enemys Lines before Charles Town, is more than I am able to do. But Charles Town Neck must be possessed in force; and to do it, the Ashley River must be crossed as near their Works as it can be done with safety. Our principal operation will be on this Neck, between the Rivers Ashley and Cowper;[80] and a secure Communication must be established by the nearest convenient rout from hence to the Shipping in Stono Inlet; wch., as it will lye exposed to the Enemys whole

[80] Cooper River.

force, will be a good deal exposed while they have the Command of the harbr. of Charles Town

CANADA

If an Expedition into this Country should be adopted, from choice or necessity; it must be conducted either by Land wholly, or by Land and Water conjointly, according to circumstances. The last is to be preferred but the former may do; I shall point to the measures which to me appear necessary in both cases, and first by

LAND.

The Army should commence its march in two Columns, the right column to proceed by the way of Connecticut River, Co'os and Hazens new Road. The left by Albany, Bennington, Manchester Shrewsbury and Otter Creek; keeping Lake Champlain on the Left, and the Green Mountain on the right, till the junction is formed which should be about the River Michiscoui[81] five or 6 Miles from the Canada line, and may be (by bringing them together more at right angles) at the River A La Moelle[82] if circumstances should require the junction sooner, or, if it should be conceived more beneficial, an acct. of Water Carriage, and the Communications which may be useful hereafter (in case we should obtain the command of Lake Champlain, which we ought never to loose sight of), the left column may advance by the way of Fort Edward, Fort Anne, South bay and Ticonderoga to the other Road by Bennington, and form a junction with it on Otter Creek.

The March of the Columns shou'd be so ordered, as that each may arrive at the place destined for the junction at the same time; and for this purpose the best judgment of the March of

[81] Missisquoi River in Vermont.
[82] La Moille River in Vermont.

each should be previously formed; and a mode of corrisponding fixed on, to regulate the advances by, afterwards. The left column, as it will be more exposed than the right, will have the most extensive communication, and the greatest difficulty to open and secure it, should consist of 5,000 Men, the other of 3,000. both ought to have French Troops in them, that the Canadians in any stage of the March, may have occular proof of our Alliance with France, and their cooperation with us, some Cavalry should march with each column; and all the Indians that can be obtained.

The object of this Expedition, should be masked as long as the nature of the movements can possibly conceal it, and the march afterwards should be with as much celerity as it can be performed with out injury to the Troops.

The first object of the Troops, shd. be to penetrate into the Heart of the Country before the enemy can assemble their scattered forces; and take such a position as will prevent the junction of them afterwds. The Country of St. Dennis, between the Sorrel and St. Lawrence, seems well situated to answer this end. To effect this, and prepare for the Winter Cantonments and subsistence of the Army, is all that can be counted upon without Heavy Artillery. to transport which, and the Stores necessary to it by Land, would be next to impossible; but when the Frost closes the Lake Chamn., the Enemys Armed vessels therein *must* be possessed; or destroyed; or if neither of these can be done, nor the Post at St. Johns reduced; then to establish one at the Isle Aux Noix, that we may, by cutting the enemy off from Lake Champlain, open a communication by Water for our Siege Artillery, and heavy Stores in the Spring.

If any thing further is undertaken in the course of the Winter, it must be from the circumstances of the moment; and not consequential of any general, and preconcerted plan. One

or two Armed Boats with Sails, should be built in the course of the Winter at a Post which may be established at the South end of Lake Champlain (Fort Anne for Instance) and a sufficient number of Batteaux should be transported from the North River to the same place, while the sledding is favourable; this Season should also be embraced for transporting the heavy Artillery, Stores, and Provisions from the one water to the other.

In the first instance, our Provision of the meat kind will transport itself; and it is expected that the upper parts of Connecticut River and the New Hampshire Grants (or Vermont as it is called); with such Aids as Canada can afford, will supply the Flour. Our Baggage should be light, and as Field Artillery only will be taken, our movements may be quick.

LAND AND WATER

The only difference between this and the last is, that our heavy Artillery, Provision and Stores, may go in the first instance by Water; with such an additional force as will enable us to commence the Siege of Quebec, or some other Capitol post, immediately; and, that the Expedition may be undertaken with out a moments unnecessary delay, and the earlier the better, as the French fleet in the St. Lawrence will intercept Succours and Supplies by Water to the enemy; if any should be attempted. Whereas if it is confined to a Land operation altogether, it must be delayed till August, on Acct. of Harvest, and because it may be too late after that for the enemy to reinforce till next Year.

HALLIFAX

Provisions, and every article necessary for the Siege, must be transported thither with the force destined for the Expedition, as there can be no dependence upon the Country. The

best place to debark the Troops at, is Sambro[83] Bay, by the Light House, about 15 Miles from Hallifax; and to March by Jerusalem to the reverse of the Town; which *is* more accessable, and *was* least fortified; how it may be now, I cannot say.

PENOBSCOT.

Alone, is scarcely an object; but might be visited, en passant, in the Expedition to Hallifax, or Canada by water; and would give some eclat to either of those enterprises for the fall of it can scarcely be doubted, if attempted.

If the enterprise is unconnected with any other object, 1500 Men will be sufficient to employ on the Expedition.

[83] To the west of Halifax.

On May 1 Washington wrote to Capt. Jacques Schreiber, of the Continental Engineers, who had been taken prisoner at Charleston, S. C., in May, 1781, that the failure of the exchange negotiation put it out of his power "to comply with the request for your Exchange." This draft, addressed to "Baron Screiber," is in the *Washington Papers.*

On this same day (May 1) Washington wrote again to the Secretary at War that Colonel Hall of the Delaware regiment had been charged by General Green with being absent from his regiment since 1778, drawing rations, etc., all that time and giving furloughs and discharges to men "for compensations in Grain for his own use." Washington asked the Secretary to forward his reply to Hall in such manner "as that I may be assured of its having reached him." This reply to Hall (May 1) stated: "I am so far from yielding to your request to be tried on the charges exhibited against you at Philadelphia or Hd. Quarters that you will receive this as a positive order to repair immediately to the Southern Army, where you may have an honourable acquittal if innocent, and an oppertunity of rendering your Country that Service which is due to your pay and subsistence, and to the proper feelings of every Soldier. You need be under no apprehensions of an unfair or prejudiced trial." The drafts of these letters are in the *Washington Papers.*

On this same day (May 1) Humphreys wrote to Major General Heath that "His Excellency being this moment going out, Directs me to reply. That the Request of Capt Sumner is complied with for a Short Leave of Absence. It is the General Opinion, which he would have you signify, that Colo Nickola is in the Right respectg his Explanation of the Article for drawg provisions. The laying down of the Chain, may be deferred a few Days longer. The proceedgs. of the Court Martial upon McCorey will be approved." Humphreys's draft is in the *Washington Papers.*

On this same day (May 1) Washington wrote to Major General Knox that he was "so totally in the Dark at this time, respecting the Scene of our Operations for the ensuing Campaign" that he could give no directions respecting Colonel Lamb's march. "The Sapper and Miners have been ordered to West Point, because their Services may be useful at that post." This draft is in the *Washington Papers.* The letter sent, from which the signature has been cut, in the writing of William Stephens Smith, is in the Massachusetts Historical Society.

BERMUDA

Some good and no bad consequences can result from an attempt to take this Island by Surprise. To effect it, the Ships destined for this Expedition should hoist British Colours as soon as they get in sight of Land; and adopt every other means to carry on the deception untill proper Pilots are procured at the West end of the Island. The Ships should next pursue their course as near the South side of the Island as prudence will admit. When they arrive opposite the Mouth of Castle Harbour, all except one or two, should immediately enter and begin the attack on the Castle without loss of time, the other Ships should continue their course a few Miles further, and bring to about a mile, distance from the Mouth of St. George's Harbour, to prevent the escape of any Vessels from thence. If this could be done in the Night, and Troops landed under that cover, it is more than probable the Castle, and consequently the Island, might be carried without much if any opposition; for it is presumed very little would come from the Inhabitants who have often expressed a wish to be united with America and enjoy the benefits of its support.

GENERAL ORDERS

Head Quarters, Newburgh, Thursday, May 2, 1782.

Parole ———. Countersigns ———.

Returns of the Number of recruits Joined the Several States Lines to the 30th, of the last Month inclusive, in consequence of the requisition of Congress of December last are to be made to the Adjutant Generals Office as soon as possible.

Untill further orders Returns of a Similar Nature are to be given in on the first of every Month, setting forth the Number of Recruits Joined the preceding Month.

At a Brigade General Court Martial held at the Jersey Hutts near Morristown April the 4th 1782 by order of Elias Dayton whereof Lieutent Colonel John Noble Cummings is President; Captain Abel Wayman,[84] Ensign Jacob Hyer[85] and Doct. Moses G. Elmer[86] of the 2d Jersey regiment were tried being severally charged with a Scandalous and disorderly Conduct, such as is unworthy the character of an Officer and Gentleman.

"The Court having duly considered the evidence against Captain Wayman, Ensign Hyer and Doct. Moses G. Elmer with their defence are of Opinion that Captain Wayman is not Guilty of the charge exhibitted against him and do acquit him; but find Ensign Hyer and Doctor Moses G. Elmer Guilty and according to Art. 5th. Sec. 18th. of the rules and Art. of War sentence them to be reprimanded by the Commander in Chief in General orders.

The Commander in Chief approves the sentence of the Court Martial. He thinks the conduct of Ensign Hyer and Doctor Elmer in the highest degree reprehensible and that the Court has Treated them with great lenity.

Captain Weyman, Ensign Hyer and Doctor Elmer are released from their Arrest.

At a General Court Martial whereof Major Darby is President, Ensign Philip Corey,[87] of the tenth Massachusetts regiment, charged with disobedience of the Orders of the Commander in Chief with respect to furloughs and exceeding the limitts of his furlough ten days.

The Court after mature consideration are of Opinion that the reasons offered by Ensign Corey in his defence for exceeding

[84] Capt. Abel Weyman (Waymen), of the First New Jersey Regiment. He served to April, 1783.
[85] Of the Second New Jersey Regiment. He served to April, 1783.
[86] Surgeon's mate. He served to November, 1783.
[87] He resigned in May, 1782.

the limitts of his Furlough are insufficient and do sentence him to be mulcted of his pay and subsistence for the ten days which he exceeded the limitts of his furlough and to be repremanded in General Orders.

The Commander in Chief approves the sentence of the Court. Ensign Corey should not have overstayed his leave of absence without applying for and obtaining leave.

Ensign Corey is released from his Arrest.

GENERAL ORDERS

Head Quarters, Newburgh, Friday, May 3, 1782.

Parole ———. Countersigns ———.

The following Arrangement of the Captains in the Massachusetts Line being fixed by a board of General and field Officers duly authorised, is approved of by the Commander in Chief and is to be considered as conclusive:[88]

To BRIGADIER GENERAL MOSES HAZEN

Head Quarters, May 3, 1782.

Sir: The Enemy, persisting in that barborous line of Conduct they have pursued during the course of this War, have lately most inhumanly executed Captain Joshua Huddy of the Jersey State Troops, taken Prisoner by them at a Post on Tom's River, and in consequence, I have written to the British Commander in Chief, that unless the Perpetrators of that horrid deed were delivered up I should be under the disagreeable necessity of Retaliating, as the only means left to put a stop to such inhuman proceedings.

[88] The arrangement of the 86 captains, showing rank number, regiment number, and date of commission, is given in tabulated form in the Varick Transcripts in the Library of Congress, but is omitted here.

You will therefore immediately on receipt of this designate, by Lot for the above purpose, a British Captain who is an unconditional Prisoner, if such a one is in your possession; if not, a Lieutenant under the same circumstances from among the Prisoners at any of the Posts either in Pennsylvania or Maryland. So soon as you have fixed on the Person, you will send him under a safe Guard to Philadelphia, where the Minister of War will order a proper Guard to receive and conduct him to the place of his Destination.

For your information respecting the Officers who are Prisoners in our possession I have ordered the Commisry of Prisoners to furnish you with a List of them; it will be forwarded with this. I need not mention to you that every possible tenderness, that is consistent with the Security of him, should be shewn to the person whose unfortunate Lot it may be to suffer. I am &c.[89]

To THE SECRETARY AT WAR

Head Quarters, Newburgh, May 4, 1782.

Dear Sir: By the Letter to Brigdr General Hazen,[90] which I have enclosed to you under a flying seal for your inspection you will observe the distressing alternative to which we are at last reduced; I must request you will give that Letter a safe and speedy conveyance.

As soon as the British Officer, whose unfortunate lot it is to be designated as the object of Retaliation, shall arrive in Philadelphia, it will be necessary to have a sufficient Escort, under the command of a very discreet and vigilant Officer in readiness to receive and conduct him to the Cantonment of the Troops of New Jersey; I pray you will be pleased to give

[89] The draft is in the writing of Benjamin Walker.
[90] See Washington's letter to Brig. Gen. Moses Hazen, May 3, 1782, *ante*.

the Orders proper for the occasion and direct the Officer Commanding the Party to apply to the Commandant of the Jersey Line, who will have final instructions respecting the matter.

Keenly wounded as my feelings will be at the deplorable destiny of the unhappy Victim; no gleam of hope can arise to him but from the conduct of the Enemy themselves. This he may be permitted to communicate to the British Commander in Chief; in whose power alone it rests to avert the impending vengeance from the innocent, by executing it on the guilty; at the same time it may be announced, that I will receive no application nor answer any Letter on the subject, which does not inform me that ample satisfaction is made for the death of Capt. Huddy on the perpetrators of that horrid deed.

Mr. Hiwell,[91] Inspector of Music, who is charged with these Dispatches, will lay before you the state of the Drums and Fifes of the several Regts in this Army; the duty can scarcely be done for the want of them; it is therefore of importance the deficiency should be made up immediately; if Mr. Hiwell can be of any service in selecting or procuring the instruments, he may be detained until the business can be effected, if you think his services will compensate the expence to the public, if not he will return after furnishing you with all the information necessary to put it in a speedy train of execution. I have the honor etc.

P. S. Mr. Hyervell is furnished with twenty five Dollars for his Expences; all the Money that could be raised.[92]

[91] Lieut. John Hiwell (Hivell, Hyewell), of the Third Continental Artillery. He was Inspector, or Superintendent, of Music of the Continental Army. On May 5 Humphreys wrote to Hiwell ordering him to proceed to Philadelphia by way of Elizabethtown, N. J., deliver the letter [May 4, *q. v.*] to Commissary of Prisoners Skinner, receive his letter for General Hazen and deliver that and Washington's letter [May 4, *q. v.*] to the Secretary at War, in Philadelphia; and receive further instructions from him. The draft of Humphreys's letter is in the *Washington Papers.*

[92] The draft is in the writing of David Humphreys; the P. S. is in that of Benjamin Walker.

To LIEUTENANT GENERAL JAMES ROBERTSON

Head Quarters, May 4, 1782.

Sir: I had the honor to receive your Letter of the 1st Inst.[93]

Your Excellency is acquainted with the determination expressed in my Letter of the 21st. of Apr. to Sir Henry Clinton. I have now to inform you that so far from receding from that Resolution, Orders are given to designate a British Officer for Retaliation. The time and Place are fixed; but I still hope, the result of your Court Martial[94] will prevent this dreadful alternative.

Sincerely lamenting the cruel Necessity which alone can induce so distressing a Measure in the present instance, I do assure your Excellency, I am as earnestly desirous as you can be, that the War may be carried on agreable to the Rules which humanity formed and the example of the politest Nations recommends and shall be extremely happy in agreeing with you to prevent or punish every breach of the Rules of War within the spheres of our respective Commands.

I am unacquainted with the circumstances of the detention of Badgely and Hatfield;[95] the matter shall be examined into and Justice done; but I must inform you that in my Opinion, Deserters or Characters who for Crimes they have committed, are Amenable to the Civil Power, cannot on either Side, be

[93] "A commission from the King appointing me Commander in Chief of his forces in this Country having arrived by a late conveyance; I make it one of my first cares, to convince you of my wish to carry on the war agreeable to rules which humanity formed and the example of the politest nations recommends."—*Robertson to Washington,* May 1, 1782. Robertson's letter is in the *Washington Papers.*

Sir Henry Clinton's resignation had been accepted and he had been so informed the last week in April. Sir Guy Carleton was appointed his permanent successor, and Robertson's commission was in force only for the short time that intervened between Clinton's resignation and Carleton's arrival in New York.

[94] A court-martial had been ordered by the British on Capt. Richard Lippincott, who had commanded at the execution of Huddy. It convened on May 3.

[95] Abner Badgely and John Smith Hatfield. Badgely was from Monmouth County and Hatfield from Elizabethtown, N. J.

protected under the Sanction of a Flag. I do not pretend to say the above mentioned persons are in that predicament.

Recriminations would be useless. I forbear therefore to mention numerous instances which have stained the reputation of your Arms, marked the progress of this War, with unusual severity, and disgraced the honor of human Nature itself. While I wave this ungrateful discussion, I repeat the Assertion, that it is my most ardent desire, not only to soften the inevitable calamities of War, but even to introduce, on every occasion, as great a share of tenderness and humanity as can possibly be exercised in a state of Hostility. I have the honor etc.[96]

To ABRAHAM SKINNER

Head Quarters, May 4, 1782.

Sir: I expected, in obedience to my order of the 20th. and agreeable to your Letter of the 22d. Apl that a Return of the Officers Prisoners in our possession would have been transmitted me immediately, and I cannot account for your delay. You will now inclose it to Genl Hazen and deliver it to Lieut Hywell who will be the bearer of this, and you will be particular in distinguishing in it such as are unconditional Prisoners and such as are taken under any Convention or Capitulation with the places where they are.

I must also desire that you will immediately Join the Army, prepared to continue bringing with you a Copy of the above Return. I am &c.

P. S. Be pleased to give me the circumstances of the detention of Badgly and Hatfield who are said to have been apprehended when under the sanction of a Flag.[97]

[96] The draft is in the writing of Benjamin Walker.

[97] The draft is in the writing of Benjamin Walker; the P. S. is in that of George Augustine Washington.

To COMFORT SANDS

Head Quarters, May 4, 1782.

Sir: You will be pleased to issue provision to the Taylors employed in making Clothing for the Army, upon Provision Returns signed by the Assistant Clothier General, specifying the person to whom, the Number of Rations, and the Number of Garments to be made by the person in whose favour the Order is drawn. This order to continue in force only until application can be made to and directions received from the Secry at War. I am etc.[98]

CIRCULAR TO THE STATES

May 4, 1782.

[See Circular to the States, May 8, 1782]

To GOVERNOR BENJAMIN HARRISON

[Head Quarters, Newburgh, May 5, 1782.]

[Dear Sir:] The subject of your Excellency's favor of the 23d of March was immediately referred to Major General Knox, who has direction to negotiate that business, so as to obtain the Brass Artillery, belonging to the State of Virginia, as soon as possible.

It is probable His Excellency the Count de Rochambeau will soon put the french Troops in motion; tho as yet, the Objects of the Campaign are not so decided, as to enable me, to inform you for what quarter. Whenever this movement shall take place, considerable quantities of the Equipage, Stores, and Artillery of

[98] The draft is in the writing of David Brooks and David Humphreys, and on it the following is entered by Brooks: "The above is the term of an order which the Contractors conceive will be the best on this occasion, as I cannot well specify the Number of days in the Return. D. B."

that Army will be left behind; for the protection of which, the Count sollicits a Body of Militia may be stationed at the Posts of York and Glocester. I have the honor to inform your Excellency also, that we were obliged at the close of last Campaign, to leave some of our Artillery of Seige and Stores in that part of the Country, for want of the means of conveyance, these will now be totally exposed to loss, or destruction, unless steps are taken to prevent it.

Notwithstanding I am fully sensible of the Expences and Difficulties of calling Militia into service, and wish it may be avoided whenever it is not essential; I think in the present case some measure of this kind will be extreamly necessary, and have therefore to request Your Excellency's attention to, and compliance with the Requisition of the Count de Rochambeau. I have written to the Count stating the embarrassments, and praying that his Estimate of the Numbers wanted may be as moderate as possible, and have the fullest confidence that his application will be calculated accordingly. I have the honor etc.[99]

[N.Y.H.S.]

To GOVERNOR GEORGE CLINTON

Head Quarters, May 5, 1782.

Sir: I have received your Excellencys Favr. of the 3d.

The Commissioners appointed by me to meet Commissioners from the British Commander in Chief, have unfortunately separated, without effecting the desirable purposes of their Mission, In consequence of which no Exchanges will at present be admitted untill I have the Direction of Congress for the Regulation of my future Conduct in this Respect. I have the Honor etc.[1]

[99] In the writing of David Humphreys. The words in brackets are missing from the letter sent, but are supplied from the draft in the *Washington Papers*.

[1] The draft is in the writing of Jonathan Trumbull, jr.

*To THE CHEVALIER DE LA LUZERNE

Newburgh, May 5, 1782.

Sir: I should have done myself the honor of sending the letter herewith inclosed, earlier, but having no cypher established with your Excellency I was affraid to entrust it to the care of a common Express. It now goes by Baron Clossen and I trust will get safe to your hands. I shall again repeat, that with much consideration and great personal attachment etc.[2]

To COMTE DE ROCHAMBEAU

Head Quarters, May 5, 1782.

Sir: Your Excellency's favor of the 29th. of Apl. by Baron Closen arrived at my Quarters last Evening.

If the Enemy ever had an intention to evacuate Charles Town, that Idea I believe is now given up. Great revolutions in the British Councils have lately taken place; the particulars which are brought by the March Packet, will be conveyed to you by the inclosed New York Gazette which I send for your perusal. General Robertson who has for some time been Governor of New York, is lately appointed Commander in Chief in America; this information I have from his own Letter.

Port Mahon and the whole Island of Minorca is certainly surrendered to his Catholic Majestys Arms; this event is declared in N York; but I am posessed of but few particulars of the Capitulation.

My most cordial Congratulations attend your Excellency and the Officers of your Army upon the favors[3] which you inform me have with so much Justice, been conferred by his most Christian Majesty. Be assured Sir I shall ever feel the most

[2] From the original in the *Paris Archives, Aff. Etrang., Mems. et Docs., E. U.*, vol. 6.
[3] This word in the draft is in the writing of Washington.

sensible interest and pleasure in every Event which bestows Honor or Emolument on such deserving Characters. The favorable mention which the King is pleased to make of me demands my warmest and most particular acknowledgments; this Honor done me will form an additional Tie to that indelible Gratitude, which[4] binds me to the Person and Interests of his Majesty.†

Convinced that the [Works at Newport would be of no Use to us; and that they might be of infinite Importance to the Enemy, should they have an intention to establish a Post there; from a bare apprehension of such an Event, I have requested the Governor of R Island to have them levelled; pointg him at the same time to the Necessity of preserving and maintaing Butts Hill if possible.

The Plans for the Campaign, depending so entirely upon the Succours which will be sent by his most Christian Majesty, I can do nothing more than form Opinions upon certain Hypothesis. If we should have a Naval Superiority and a Force sufficient to attempt N York, and you have not a secure Means of transporting your Troops by Water, for their greater Ease, to the Head of Elk, the Route you propose for their March by Land, is I am persuaded, the best that can be. It is to be feared that the maneuvre your Excellency proposes will hardly have its intended Effect, as it will be performed in so short a space, as to give no Time for its Operation before the Deception you propose would be disclosed.

If your March should take place before our intended Interview, the Time of its Commencement must be determined absolutely by your Excellency, in Consequence of Advice you shall receive from your Court and knowg the Epoch at which the Succours may be expected on this Coast; to delay it beyond this point, would waste the Campaign, and to commence at an

[4] The draft has the word "already."

earlier period, would disclose our plans and prepare the Enemy for our Approach.]

Every attention consistent with my means has been bestowed [on the Boats] and I hope to be tolerably provided with them.

I shall by this Opportunity communicate your request [for militia, to Govr Harrison.] I persuade myself that knowing [how expensive the Militia are, and with what difficulty they are drawn out, you will be as moderate as possible in your Requisition; and that you will leave nothing, that can well be avoided, to their protection.] With the greatest Esteem &c.

P. S. My letter to Governor Harrison is herewith Inclosed, under a flying Seal to your Excellency's care; to be sent when you see cause.[5]

To GOVERNOR WILLIAM LIVINGSTON

Head Quarters, May 6, 1782.

Sir: On receiving information, by a representation from the Inhabitants of Monmouth County, of the cruel Murder of Captain Joshua Huddy of the Jersey State Troops by a party of Refugees from New York. I immediately informed the British Commander in Chief, that unless he delivered up the perpetrators of that horrid deed I should be reduced to the disagreeable necessity of Retaliating.

In answer to my Letter the British General informed me, that a Court Martial is ordered for the trial of the persons

[5] In the writing of Benjamin Walker; the P. S. is in that of Washington. From the original in the *Rochambeau Papers* in the Library of Congress. The parts within brackets are in cipher, and the draft, in the writing of Jonathan Trumbull, jr., has the entire text from the † to the end of the letter marked to be put into "Mr. Morris Cypher."

On May 5 Humphreys wrote to Chaplain William Lockwood, of the First Massachusetts Brigade: "General Washington presents his Compliments to Mr. Lockwood and requests the favor of his Company at dinner on Wednesday next." The original of this is in the New York Public Library. A similar invitation was extended to Lockwood, on June 20, 1783, at the time of his retirement, and also one on an unidentified date. Both of these letters are in the New York Public Library.

complained of; but at the same time says that those people offer in Justification of the fact, a number of instances of Cruelty committed by us and particularly in Monmouth County; tho' this is by no means admitted; but on the contrary orders are given to designate and send to Camp a British Officer, who, if my demand is not complied with, will be executed. Yet I cannot forbear observing to your Excellency that whilst I demand Satisfaction from the Enemy for the Violences they commit, it becomes us to be particularly careful that they have not the like claim on us, and I must beg you to make it known to all persons acting in a military capacity in your State that I shall hold myself obliged to deliver up to the Enemy or otherwise to punish such of them as shall commit any Act which is in the least contrary to the Laws of War. I doubt not of your doing the same with those who come under the Civil power.

The Enemy also complain of the detention of Hetfield and Badgely who they say were out, by direction of our Commissary of Prisoners, under Sanction of a Flag. I must beg your Excellency to inform me as soon as possible of the Circumstances attending their Capture and the causes of their detention. if those causes are not strictly just I could wish they were sent in.[6]

To COLONEL HEMAN SWIFT

May 6, 1782.

Sir: I have this moment received your Letter of this morning, and am exceedingly obliged to you for your care in preventing the dangerous commotion which was threatened in your line.[7]

[6] The draft is in the writing of Benjamin Walker.

[7] The Connecticut line mutiny was discovered and suppressed by Colonel Swift before it could come to its planned head. Two sergeants, Bunce and Parker, of the Third Connecticut Regiment, were arrested as the ringleaders.

I have now to desire that you will apply to Major General Heath to appoint a Court Martial for the immediate Trial of the two Serjeants who were the Ringleaders and report their proceedings to me.[8]

To GOVERNOR GEORGE CLINTON

May 7, 1782.

Sir: I have had the Honor to receive your Excellency's Favor of the 5th. Communicatg Intelligence from St. Croix, for which I beg you to accept my Acknowledgements and thanks.

It seems we are comg to a period when we are exceedgly in Danger of being imposed upon by the Insiduous Measures of our Enemy. You have doubtless seen the Intelligence from N York and the Debates in Parliament upon the American War, which the Country it seems are catching at as a prelude to a Speedy peace, upon principles of Independence. I will only mention to your Excelly that I have perused the several Motions which have been Made and the Debates thereon with great Attention, and upon serious Consideration am obliged to say that the whole appears to me merely delusory, calculated to quiet the Minds of their own people, and to lull the Exertions of ours, and that findg themselves hard pushed in other Quarters, they want to amuse us in America, whilst they attend to other parts of their Empire; which being secured, they will have Time and Means to revert to this Continent again, with hopes of Success.

An Idea of American Independence on its true principles dont appear thro' the whole Debates; but an Idea of reconnecting us to the British Nation, by dissolving our Connexion with France is too prevalent. I am etc.[9]

[8] The draft is in the writing of Benjamin Walker.
[9] The draft is in the writing of Jonathan Trumbull, jr.

GENERAL ORDERS

Head Quarters, Newburgh, Tuesday, May 7, 1782.

Parole ———. Countersigns ———.

The different Brigades and Corps composing the Army in the Highlands and New Jersey, will be inspected and Mustered on the following days viz. The New Jersey Brigade on the 10th. the York on the 12. The first Massachusetts Brigade on the 18th. the 2d Brigade and Cranes Regiment of Artillery on the 19th, and the 3 Massachusetts Brigade on the 20th. The 10th Massachusetts regiment on the 21st. The first Connecticut Brigade on the 22d. The 2d Connecticut Brigade on the 23d and the Commander in Chiefs Guards on the 24th Instant.

The several Corps are to be excused duty on the days they are Mustered, if the nature of the service they are employed on will possibly admit of it.

The Artificers and the Water Guard under Captain Prey[10] are to be allowed one ration and a half pr. day when Actually employed.

To BRIGADIER GENERAL ELIAS DAYTON

Head Quarters, Newburgh, May 7, 1782.

Sir: I have received your Letter of the 6th. and am obliged to you for the Papers and Intelligence contained therein. Altho I can by no Means imagine the Enemy will give over an Offensive Naval War, or that all the Reports respecting their granting Independence, have any other design or tendency than to lull us into a state of more profound security and activity, if possible.

Some time ago the Proceedings of a Court Martial held in the Jersey Brigade were sent back, on account of their wanting that

[10] Capt. John Pray (Prey), of the First Massachusetts Regiment. He was in command of the water guard on the Hudson River at Dobbs Ferry, and served to June, 1783.

formality which is requisite in Capital Cases. I have since received certain Proceedings in form of a Letter but without signature, which I return by this conveyance, and cannot but observe that such things carry too great an appearance of negligence and inattention.

Urged by public duty and private friendship, I must take the liberty of telling you, that reports unfavorable to the attention of some of the Officers of the Jersey Line have prevailed, and that the discipline of the Troops is in consequence much relaxed. I am very sensible of the difficulties which attend the Command of Troops when Cantoned in their own State and of the causes which conspire to dissipate their Morals and ruin their discipline; but let me entreat you, Sir, that the utmost care may be bestowed in preparing and training the Men for the field; and that no officer of any rank whatever may be a single Moment absent from his Corps, without there shall be the most pressing and indispensible necessity for it. Col Stewart is now setting off to inspect the York and Jersey Brigades, I expect a particular Report by him. I am &c.

[P. S.] When did Sr. Henry Clintons Letters come within our Lines? they are dated so long back as the 25 and 27.[11]

*To GOVERNOR JOHN HANCOCK

Newburgh, May 8, 1782.

Sir: As the plan of Campaign must depend entirely on the means that are put into my hands, of which I have scarcely a conjectural knowledge at this time, and, on the force of the Enemy at their different Posts, I shall be obliged to your Excellency (as the communication between Boston and Hallifax is open to Flags, which frequently pass) for the most accurate

[11] The draft is in the writing of David Humphreys; the P. S. is in that of Benjamin Walker.

account which you can obtain, covertly, of the enemys Numbers at Hallifax and its dependencies, strength of their Works, temper of the Inhabitants, and such other intelligence as may be useful in a Military point of view; the same of Penobscot. I want, if possible, to have the whole before me at one view, that I may point my operations to such objects as I have means to accomplish; your compliance with this request and as soon as it is convenient to you will very much oblige, Sir, Yr. etc.[12]

To GOVERNOR JONATHAN TRUMBULL

Head Quarters, May 8, 1782.

Sir: I had the Honor to receive your Excellency's Favor of the 24th of April, inclosing a Copy of your Letter to Congress on the Subject of American prisoners confined in England; with your Sentiments on the Necessity of Retaliation.

I am sorry to inform your Excellency, that a Meeting of Commissioners which had, Among other matters, been concerted for the purposes of a general Exchange, comprehendg. that a release of our Countrymen prisoners in Europe, as well as others, has been unhappily dissolved, without effecting any One of those benevolent purposes, which, on our part, were the Object of their Mission. This Circumstance I fear, will place any future Exchanges, at a great Distance. no means however in my power, will be omitted to effect so desirable an Event.

I have the Honor to concur fully with your Excellency on the Subject of Retaliation, and to inform, that the Circumstances attendg. the Death of Captain Huddy, are like to bring that Object to a point. A Demand has been made by me for the perpetrators of that horrid Deed; the Reply to this Demand,

[12] The letter sent, in the writing of Benjamin Walker, is in private hands (1933). A photograph, kindly presented by George Dudley Seymour, of New Haven, Conn., varies in minor verbal particulars from Washington's draft.

received from Genl Robertson, is not satisfactory; I have informed him therefore, that Orders are given to designate by Lot, a British Officer of the Rank of Capt Huddy, for Retaliation; that the Time and place for his Execution are fixed, and that nothing can stay my Resolution from being carried into compleat effect, but a strict Compliance with my first Request. I expect Genl. Robertsons next Answer will bring this ungrateful Business to an Issue.

I am Obliged by your Hint respecting the powder;[13] Genl. Knox, in whose Department it is, shall be informed, when he arrives from Philadelphia.

If the Demands of the Campaign, which is not yet fully decided, should require for the powder of your State, it will be thankfully received. With great Sincerity etc.[14]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburgh, May 8, 1782.

Dear Sir: Your Dispatches of yesterday have been handed to me.

I am astonished to hear the Recruits which have arrived from Massachusetts are so very improper for service, after all the precautions and pains that have been taken to avoid a repetition of such horrid impositions on the Public; unless there are some circumstances that I am unacquainted with, and cannot conceive of, I think the Officer who mustered them ought to be instantly relieved, ordered to Camp, and arrested upon his arrival; the two french Deserters should be sent back if there is an opportunity, if not, they may be confined until they can be returned, or delivered over to some of the Commanders of His most Christian Majesty.

[13] In Connecticut available as a loan to the Army.

[14] In the writing of Jonathan Trumbull, jr. From the original in the Connecticut State Library.

I wish to know what Arrangements you have lately made respecting the Recruiting Service in Massachusetts, and that you would give any additional Orders you may think necessary.

An Order was issued yesterday that Artificers while actually at Work, and Capt Prays Water Guard, should be supplied with a ration and a half pr day. I cannot conceive there is any necessity for extending the order to my own Bargemen, or any common Watermen on the River.

The matters in dispute respecting the Contract are under consideration. Most of the difficulties as to the mode of issues complained of since the first of May, appear to result from the Contract itself. 'Tho it were much to be wished, I do not very well see how the Commissys under the Contractor are to be prevented from becoming acquainted with the strength of the Troops to which they issue;[15] they will at least know very nearly the efficient force, by the number of rations delivered.

Your regulation concerning the small Pox is perfectly satisfactory. There is no mode pointed out for returning Invalids, who have recovered, to their former Corps; but I will advise with the Inspector upon it.

I would not have the New Arms broken in upon, so long as there are old Ones in the Store fit for use, when there are not, new ones must be drawn for the Recruits; but those out of repair, are by no means to be exchanged for New Arms. I am etc.[16] [MS. H. S.]

[15] The draft at this point has the following crossed out: "and all possibility of imposition at the same time avoided."

[16] In the writing of David Humphreys.

On May 8 Washington wrote briefly to Lieut. Col. Samuel Canfield, commanding the Connecticut levies at Stamford, to allow Mrs. Brinkerhoff and Mrs. Adriance, attended by Mr. Wycoff, to visit their relations in Queens County on Long Island. Mrs. Close was also to be passed through. The draft of this letter is in the *Washington Papers*.

On this same day (May 8) Washington wrote briefly to Philip Schuyler that circumstances prevented accepting his invitation to visit Albany. This draft is in the *Washington Papers*.

CIRCULAR TO THE STATES[17]

Head Quarters, May 4[–8], 1782.

Sir: I find myself arrived at that period at which I hoped to have seen the Batallions of the several States compleated to their Establishment in conformity to the requisition of Congress of the 19th December last.

The inclosed returns of Recruits which I have caused to be made up to the 1st Inst. will shew how totally short of my expectation the Exertions of the States have fallen; from your State you will find that none[18] have joined the Army in consequence of the above requisition.

All my Accounts from Europe concur in declaring that the[19] Ministry of England are still determined to prosecute the War. It becomes therefore our decided duty, to be prepared to meet their hostile intentions, in whatever way they are to be carried into Execution, to do which our utmost Exertions are now called for. You will suffer me therefore to intreat, that if your State have any expectations from the Military Operations of this season, not another moment, may be lost in providing for and carrying[20] into execution, the full completion of their Batallions. It is scarcely necessary to inform you that on this expectation all our calculations must be formed and on this Even must rest the hopes of the ensuing Campaign.

My intelligence of the actual Aid we may expect from our Allies, is not yet so explicit, as will lead me to decide absolutely

[17] From New Hampshire to Virginia, inclusive.

[18] This phrase, of course, varied in each circular; *e. g.*, that to Connecticut read "only Eight Recruits have joined etc." and that to Maryland substituted for this paragraph: "From the Returns which I have been able to obtain of Recruits furnished by the several States, I am very sorry to observe that there Exertions to this Time, are almost totally short of this expectation."

[19] The draft in the *Washington Papers* reads "the British King and Ministry" and some of the circulars so read.

[20] The draft at this point reads: "into most effectual execution." The circular sent to Pennsylvania also contains these words.

on the mode of Operation for this Campaign; but were our expectations of Support from that quarter ever so promising, yet from the Negligence and Languor of the States, from whence our own Exertions are to Spring, I am not at this day enabled to give any Assurance of our being prepared to Co-operate with our Allies in any great Objects, equal to their Expectation or our own abilities. I am sorry to say I have the best authority to assure your Excellency, that the Court of France is much dissatisfied with the want of Vigour and exertion in the States, and with that disposition which appears willing at least, if not desirous, to cast all the burthen of the American War upon them. Waving the Injustice and Impolicy of such a temper (which to me appears very conspicuous) how humiliating is the Idea, that our dependance for support should rest on others beyond that point which absolute necessity dictates? how discouraging to our Allies, and how dishonorable to ourselves, must be our want of Vigour and utmost Exertion, at a time when if we are not wanting to ourselves, our prospects are the fairest, that our wishes could extend to.

I find from the proceedings of the several States, that their Calculations of Deficiencies, formed on Application to the several Towns who furnish the Men, are greatly different from the returns sent from the Army. I forbear mentioning many reasons, which might be assigned for this difference, and which in my opinion Originate principally within the State; and will content myself with this one observation, That should the States deceive themselves in this respect, and fail to furnish the expected Force in the Field, they will not only cast an essential injury upon the Army, but the unhappy consequences of a failure in their expectations, from Military Operations, will reverberate upon themselves, whilst recrimination can have no effect towards alleviating our protracted Misfortunes and Distress.

Altho' Money matters are not within the Line of my duty yet as they are so intimately connected with all Military Operations, and being lately informed by the Financier, in Answer to some small requisitions on him, that he has not yet received, one penny in Money from any one State, upon the requisition of Congress for the 8,000,000 Dollars, whilst on the contrary some of the States are devising ways, to draw from him, the small sums he has been able otherwise to establish and that he is at this time barely able to feed the Army, from hand to Mouth; I cannot forbear to express my apprehensions on that head; and to urge, with the warmth of Zeal and earnestness, the most pointed and Effectual attention of your State to the actual raising and collecting their proportion of the mentioned requisition. Upon the present Plan of Non Compliance with requisitions, for Men and Supplies, let me seriously ask your Excellency, how it is possible for us to continue the War? how is it possible to support an Army, without Money or Recruits? to what a wretched State must we soon be reduced? how dangerous is it to suffer our affairs to run at hazard, and to depend upon contingencies? to what do the present Measures tend, but to the utter ruin of that cause which we have hitherto so long and so nobly supported? and to crush all the fair hopes which the present moment places before us, were we only to exert the power and Abilities, with which Providence has bountifully blessed this Country. But if the States will not impose, or do not collect, and apply, Taxes for support of the War, the sooner we make Terms the better; the longer we continue a feeble and ineffectual War, the greater will be our distress at the hour of submission. For my own part I am fully convinced, that without the means of execution, no Officer, who ever he may be, that is placed at the Head of the Military Department, can be answerable for the success of any Plans he may propose or agree to.

Upon this subject I will only add, that from past experience, and from present prospects, I am persuaded, that if the States would furnish the supplies agreeable to the late requisition, and would suffer the Pay, Cloathing, and subsistence, of the Army to go thro' one common Channell, two thirds of their former Expences would be saved; and many partialities, discontents, and Jealousies, which now subsist, would be removed and cease and an establishment of Order, regularity, and Harmony, in our general Affairs, would be experienced, which cannot from the present disjointed and different Systems of Finance, adopted by seperate States arise.

While acting in my Military capacity, I am sensible of the impropriety of stepping into the line of civil Polity; my anxiety for the general good, and an earnest desire to bring this long protracted War to a happy Issue, when I hope to retire to that peacefull state of domestic pleasures, from which the call of my Country has brought me, to take an active part, and to which I most ardently wish a Speedy return; I hope will furnish my excuse, with your Excellency and the Legislature, while I request your pardon for this Trespass.

[If I should have occasion for the Militia of your State, the Call will be Sudden; and their Movements must be rapid, otherwise great expence will accrue, and only disgrace and disappointment will follow. For these reasons I beg leave to recall your Excellency's attention to my Letter of the 5th. of March last and to pray most earnestly that every previous Arrangement may be taken to facilitate their March when requested.] I have the honor etc.

P. S. May 8th. 1782.

Since writing the above, I have been furnished with sundry English and New York Papers containg the last Intelligence from England, with the Debates of Parliament upon several Motions made respecting the American War; least your Excellency may

not have been favoured with so full a Sight of these papers as I have been, I take the Liberty to mention that I have perused these Debates with Care and Attention, with a View, if possible, to penetrate their real Design: And upon the most mature Deliberation, I am obliged to declare it as my candid Opinion, that the Measure, in all its Views, so far as it respects America, is merely delusory; having no serious Intention to admit our Independence upon its true principles; but is calculated to produce a Change of Ministers, to quiet the Minds of their own people and reconcile them to a continuance of the War; while it is meant to amuse this Country with a false Idea of Peace, to draw us off from our Connection with france and to lull us into a State of Security and Inactivity; which takg Effect, the Ministry will be left to prosecute the War in other parts of the World with greater Vigour. Your Excellency will permit me on this occasion to observe, that even if the Nation and Parliament are really in earnest to obtain peace with America, it will undoubtedly be Wisdom in us, to meet them with great Caution and Circumspection; and by all means to keep our Arms firm in our Hands; and instead of relaxing One Iota in our Exertions, rather to spring forward with redoubled Vigor, that we may take the advantage of every favorable Opportunity, untill our Wishes are fully obtained. No Nation have ever yet suffered in Treaty, by preparing, even in the Moment of Negotiation, most vigorously for the field.

The Industry which the Enemy are using to propogate their pacific Reports, appears to me a Circumstance very suspicious, and the Eagerness with which the people, as I am informed, are catchg at them, is in my opinion, equally dangerous. I am etc.[21]

[N.H.H.S.]

[21] In the writing of Benjamin Walker. The P. S. is from the circular sent to Maryland, and is in the writing of Jonathan Trumbull, jr. The paragraph in brackets was omitted from the circulars sent to Maryland and Virginia. There were minor verbal

To GOVERNOR GEORGE CLINTON

Head Quarters, Newburgh, May 10, 1782.

Sir: I have given the most peremptory orders that no Flags from the Enemy shall be received at any other place or post but Dobbs's ferry on any business or pretext whatever, and that no flag from us to them shall (for any reason however pressing) be permitted to pass to the Enemies Lines, except from the same place.

This I thought essentially necessary for many Reasons, which I doubt not will occur to your Excellency, and therefore request your aid in carrying the measure into effect, and that you will be pleased to communicate your orders to all persons who may have occasion to be acquainted with the matter in the State over which you preside.

These Orders, are given to all officers commandg. on the lines in the several States contiguous to Posts occupied by the British, which I shall cause to be rigidly obey'd and hope for the concurrence of the civil Power in preventing all other intercourse with the Enemy. I have the honor etc.[22]

To GOVERNOR JONATHAN TRUMBULL

Head Quarters, Newburgh, May 10, 1782.

Sir: I have the honor to enclose to Your Excellency, the Copy of a Letter of this date to Colonel Canfield, prohibiting the practice of sending Flags from, or receiving them at any place except the Post of Dobbs' Ferry. This I thought essentially

variations in word arrangements, etc., in nearly all of the circulars as sent. In addition to photostats of this circular as sent to various of the States, there is in the *Washington Papers* the draft of the circular and the original of the one sent to Pennsylvania. Both Sparks and Ford print this letter under date of May 4, omitting the paragraph in brackets.

[22] The draft is in the writing of Jonathan Trumbull, jr.

necessary for many reasons, which I doubt not will occur to your Excellency, and therefore request your aid in carrying the measure into effect; and that you will be pleased to communicate your Orders to all Persons, who may have occasion to be acquainted with the matter, in the State over which you preside.

Orders similar to those of Colonel Canfield are given to all the Officers Commanding on the Lines, in the several States contiguous to Posts occupied by the British; which I shall cause to be rigidly obeyed; and shall hope for the concurrence of the Civil Power, in preventing all other intercourse with the Enemy as far as possibly can be done. I have the honor etc.[23]

*To WILLIAM BURNET[24]

Newburgh, May 10, 1782.

Sir: Your letter of the 12th. of April was long on its passage to me. I have endeavoured to recollect every circumstance respecting my employing —— Hatfield for the purpose of obtaining intelligence, while the Enemy were at Elizabeth Town in the spring of 1780; what follows is the result.

The Morning after I marched the Troops from their Hutts near Morris Town, to oppose the advance of the enemy; and while we lay at the pass near Springfield; a person of the name of Hatfield (I suppose, and believe it was Moses) was brought to me (either by Colo. Dayton, Colo. Ogden or the deceased Mr. Caldwell, or perhaps Colo. D'Hart) with intelligence of the enemy's strength, and what he had seen of their movements the preceeding day; adding that, it was in the power of him,

[23] The draft is in the writing of Jonathan Trumbull, jr. This same letter was also sent to Gov. William Livingston, to which was added the following P. S.: "I am told there is quite an open intercourse between the City of New York and the County of Monmouth, by means of prostituted Flags of Truce."

[24] Surgeon general of the Eastern Department, Continental Hospital.

(Hatfield) to go into, or communicate with People in Elizabeth town and bring me further information. being suspicious of the name, I expressed my apprehension to the Gentleman who introduced him to me, that he was rather sent by the enemy to our Camp *for,* and would *carry* intelligence, than bring such as would be serviceable to us: but having my fears quieted on this head, by assurances that he wished us well; and had it more in his power (by means of his connections) to be useful in this way than most others, I engaged him to get into the enemy's rear (for at that time we supposed them to be at the Connecticut Farms) and ascertain more particularly their strength and designs, either from observation or enquiry, whether any particular mode was pointed out to him by which he was to attempt this. whether it was proposed by, or expected of him at the time, to go upon Staten Island, I do not recollect; nor can I charge my memory with having had any transaction with him since.

I wish most sincerely, that in a matter which nearly concerns the essential interests of any individual, I could be more explicit; but what I have hear said is the substance of my best recollection. I am etc.

To SIR GUY CARLETON

Head Quarters, May 10, 1782.

Sir: I had the Honor last Evening to receive your Excellency's Letter of the 7th, with the several papers inclosed.

Ever since the Commencement of this unnatural War, my Conduct has borne invariable testimony against those inhuman Excesses, which in too many Instances, have marked its various progress.[25]

[25] At this point the draft has the following crossed off: "and stained the Reputation of Briton's."

With respect to a late Transaction, to which I presume your Excellency alludes, I have already expressed my Resolution, a Resolution formed on the most mature deliberation, and from which I shall not recede.

I have to inform your Excellency, that your request of a passport for Mr. Morgan[26] to go to Phila. shall be conveyed to Congress by the earliest Opportunity; And I will embrace the first Moment I have it in my power, to communicate to you their Determinations thereon.

Many Inconveniences and Disorders having arisen from an improper Admission of Flags at various posts of the two Armies, which have given rise to Complaints on both Sides; to prevent abuses in future, and for the Convenience of communication, I have concluded to receive all flags from within your Lines, at the post of Dobbs Ferry and no where else; so long as the Hd Qters. of the two Armies remain as at present. I have the Honor etc.[27]

GENERAL ORDERS

Head Quarters, Friday, May 10, 1782.

Parole ———. Countersigns ———.

Untill further orders no flagg from the Enemy at New York is to be received at any other place or post but Dobbs ferry on any business or pretext whatever, nor is any Flag from us to them to be sent from any other place. Officers or others bringing despatches from the Enemy are to be Stoped at Dobbs Ferry and their despatches immediately forwarded to Head Quarters. It is expected that all Officers Commandg on the lines or else where will pay the strictest attention to this order.

[26] Dr. Maurice Morgann, secretary to Sir Guy Carleton.
[27] The draft is in the writing of Jonathan Trumbull, jr.

To THE PRESIDENT OF CONGRESS

Head Quarters, May 10, 1782.

Sir: I do myself the honor to transmit to your Excellency the inclosed papers No. 1. to 4. inclusive[28] they contain a continuance of the Correspondence which has been produced between me, General Robertson and Sir Henry Clinton in the case of Capt. Huddy; that from Sir Henry Clinton did not come to hand, till some days after the receipt of General Robertsons Letter and after my reply to the latter. I am in daily expectation of an Answer from General Robertson, which I hope will bring this ungrateful business to a conclusion.

I take this Opportunity to convey to Congress sundry English and New York Papers which have within a few days past been put into my hands, their Contents are new and interesting and I take the earliest occasion to present them to Congress.

Altho' I view the Debates so far as they convey proposals of pacification to America to be idle and delusory yet I cannot but express my fears for the effect they may have upon the Exertions of the States which are already too feeble and void of energy. The People, so far as I am informed are catching at the Idea of Peace with great eagerness. And the Industry which the Enemy are using for its propogation is to me a very suspicious Circumstance. For my own part I view our situation such, that instead of relaxing we ought to improve the present Moment as the most favorable to our Wishes. The British Nation appear to me to be staggered and almost ready to sink beneath the accumulated weight of Debt and Misfortune; if we follow the blow with vigour and energy I think the game is our own.

[28] No. 1 was a copy of Robertson's letter to Washington, May 1; No. 2, a copy of Washington's reply, May 4; No. 3, a copy of Sir Henry Clinton's letter to Washington, April 25; No. 4, a copy of Clinton's letter to Washington, April 27. The originals of 1, 3, and 4 are in the *Washington Papers*.

Just as I was closing these Dispatches a Letter from Sir Guy Carleton is handed me, covering sundry Printed Papers, a Copy of which with the papers I have now the honor to inclose to your Excellency together with the Copy of my answer to him and flatter myself my conduct thereon will be agreable to the wishes of Congress.[29] I have the honor &c.[30]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburgh, May 10, 1782.

Dear Sir: I have enclosed to your care Letters for Col Canfield, and Major Woodbridge (the latter under a flying seal) forbidding Flags of Truce to be sent or received except by way of Dobbs Ferry. Similar instructions are given to the Commanding Officer in Jersey. And you will perceive that the same prohibition is announced to the Army in the Orders of this day. I am etc.[31] [MS.H.S.]

To BRIGADIER GENERAL ELIAS DAYTON

Head Quarters, Newburgh, May 10, 1782.

Sir: I have given the most preemptory Orders, that no Flag from the Enemy shall be received at any other place or post but Dobbs ferry, on any business or pretext whatever; and that no Flag from us to them shall, (for any reason however pressing), be permitted to pass to the Enemys Lines, except from the same place.

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[29] The other inclosures were: Copy of extracts of information laid before Sir Henry Clinton of acts of cruelty and barbarity committed by Americans; copy of affidavit of William Mullock as to the hanging of Daniel Current by Lord Stirling; copy of affidavit of Isaac Alyay as to same; copy of affidavit of Aaron White as to the killing of Philip White; copy of Carleton's letter to Washington, May 7; copy of Washington's letter to Carleton, May 10.

[30] In the writing of Benjamin Walker.

[31] In the writing of David Humphreys.

You will take measures for carrying this Order *effectually* into execution, so far as relates to the Posts in Jersey within the limits of your command, and the Places at and from which Flags have been received and sent, by immediately putting in Arrest any Officer who shall presume to contravene the intention of this Order on our side; and by detaining as Prisoners all persons who may come from the Enemy with Flags, after this regulation has been announced in such a manner as that the British Commander in Chief may give directions for the prevention of this practice in future. I have written to Sir Guy Carleton on the subject, and presume the Letter will reach him by the time this is delivered to you.

[A Copy of this I have also communicated to Governor Livingston, whose concurrence and assistance in the execution of the measure I have solicited]. I am etc.[32]

To CAPTAIN JOHN PRAY

Head Quarters, May 10, 1782.

Sir: I have received your favor of Yesterday accompanied with Dispatches from Sir Guy Carleton and a note from Major Scott.[33]

I cannot omit to express to you the pleasure I have experienced from the propriety of your Conduct in stopping Majr Scott at your post, and forwardg the Dispatches by an Officer of our own. And I beg you will accept my sincerest Thanks on this occasion.

The inclosed packet contains my Reply to Sir Guy Carlton, which you will be pleased to deliver to the Officer bearing the flag, and let him depart as soon as possible. I am &c.[34]

[32] The draft is in the writing of David Humphreys. This same letter, omitting the part in brackets, was sent to Lieut. Col. Samuel Canfield and Maj. Theodore Woodbridge.

[33] Pray, in his letter of May 9, calls Scott a brigade major.

[34] The draft is in the writing of Jonathan Trumbull, jr.

To COMFORT SANDS & CO.

Head Quarters, May 10, 1782.

Sirs: We have received your proposals of Yesterday; In consequence of which we now send you Heads of the several Complaints which the Officers have exhibited to the Commander in Chief against your Execution of the Contract. We wish you to examine them severally, and to give us your Ideas upon each seperately, specifying to us under which Mode of Settlement proposed by you, each Article of Complaint shall be ranged, and how far your proposals will apply to each. Upon this ground we will make our further Reply to your proposals. Only observing that your proposition for layg the Army under Bonds, we fear, if insisted upon, will cast an insuperable Bar against a Composition in this Way. Because the Army, not being the contractg party, will not conceive themselves under any Obligation to come into such a Measure.

To shew you what Sentiments the Secty at War has conceived respectg a Mode for settling the Difficulties complained of, we now inclose you an Extract from his Letter of 3d. Aprl. to the Commandr in Chief,[35] on this Subject: you will make such improvement of it as you think proper. We are &c.[36]

To COLONEL LEWIS NICOLA

Head Quarters, May 11, 1782.

Sir: My present uncertainty respectg the Operations of the Campaign prevents my giving you at this Time a decided Answer to your Request respecting the Invalids you mention

[35] The letter (April 3) from the Secretary at War is in the *Washington Papers*. The extract was: "Mr. Sands (who says he is conscious of having in every instance demeaned himself properly) is willing to submit an investigation of the whole business to any impartial persons, not of the army, who may be appointed for the purpose."

[36] The draft is in the writing of Jonathan Trumbull, jr., and the letter sent was signed by Humphreys and Trumbull.

being in Phila. If your Regt. should be ordered to Pennsylvania (as is possible) it would subject the poor fellows to a very needless and tedious March. This Indecision I suppose will prevent your sending at present for your Family. I am &c.[37]

To MAJOR DE GENTON DE VILLEFRANCHE[38]

Head Quarters, Newburgh, May 12, 1782.

Sir: After making the proper Estimates of Plank which will be necessary for Platforms in the Batteries in case of the seige of New York, I have to request you will without loss of time arrange that business with the Quartr Mastr Genl or his Asst with the Army, and that you will inform him in writing specifically, of all the Articles which will be required of that Department, that measures may be instantly taken for Providing them.

You will be pleased to advise me as soon as may be, of the result of this Arrangement. I am &c.[39]

GENERAL ORDERS

Head Quarters, Newburgh, Sunday, May 12, 1782.

Parole ——. Countersigns ———.

A board Consisting of Major General Lord Stirling, Brigadier General Hand and Colonel Nichola will assemble at such time and place as may be agreed by them, to examine into the principles of the late Arrangement of the Subalterns in the Connecticut Line and to report their Opinion whether the principles are Consonant to those pointed out as the basis of such settlement by the board of General Officers convened at Dobbs

[37] The draft is in the writing of Jonathan Trumbull, jr.

[38] Jean Louis Ambroise de Genton, Chevalier de Villefranche, major of Continental Engineers.

[39] The draft is in the writing of David Humphreys.

ferry in August last, and whether the said Arrangement ought to be conclusive or not. The papers relative to this business at Head Quarters will be laid before the board and all persons concerned are notifyed to exhibit such other representation and testimony as they shall think proper.

A state of all the guards and Detachments from the different Regiments is to be delivered in at the orderly Office by Wednesday next, in order to observe whether any alteration of the position and strength the guards &ca is Necessary, and to make provision for doing duty by Corps.

The regimental Surgeons are desired to make regular Weekly returns of the Sick of their respective regiments to Doctor Craick, Chief Physician with the Army.

AFTER ORDERS

At a General Court Martial held at West Point by order of Major General Heath whereof Colonel Greaton is president, the following Prisoners were tryed:

George Willson, a soldier belonging to the late 12 Massachusetts Regimentt, charged with deserting from a Detachment when on Command at White Plains.

The Court adjudge the prisoners guilty of the charge against him in breach of Article 1st sect 6 of the rules and Articles of War, but as the prisoner surrendered himself under the Proclamation of his Excellency the Commander in Chief offering pardon to Deserters, they are of Opinion he should be excused from punishment and released from confinement.

Elijah Kelly a recruit raised for the Massachusetts Line charged with Desertion, found Guilty in breach of the above mentioned Articles of War and sentenced to receive One hundred Lashes on his bare back.

Serjeant Gerred Bunce and Wyman Parker of the third Connecticut Regiment and Lud Gaylord, soldier of the first

Connecticut regiment charged severally with endeavouring to excite a Mutiny in the Connecticut Line and also not discovering an intended Mutiny to their Officers when they knew a plan was laying and a Combination forming to carry it into execution.

The Court having Considered the Charges and Evidence against the Prisoners, serjeant Gerred Bunce, are of Opinion that the charge of endeavouring to excite a Mutiny in the Connecticut Line is not supported and do acquit him of it. They are also of Opinion that the Evidence respecting the Charge against him of not discovering an intended Mutiny to his Officers when he knew a plan was laying and combination forming is insufficient to Convict him of it and they do acquit him of it.

The Court respecting the Charges against sergeant Wyman Parker are of the same Opinion that they are of respecting serjeant Bunce and do acquit him of the Charges against him.

The Court having considered the Evidence respecting the Charges against Lud Gaylord are of Opinion that he is Guilty of endeavouring to excite a Mutiny in the Connecticut Line, and that he is also guilty of not discovering an intended Mutiny to his Officers when he knew a plan was laying and Combination forming to carry it into execution, which is in breach of the latter part of Art. 4. Section 2d. of the rules and Articles of War and the Court (upwards of two thirds agreeing) do sentence him to suffer Death.

The Commander in Chief approves the Opinion of the Court Martial and orders the execution of Lud Gaylord on Monday the 13th of May instant.

Serjeants Jerred Bunce and Wyman Parker and George Willson to be released from Confinement.

Elijah Kelly to receive his punishment at such time and place as shall be convenient to the Officer Commanding the regiment he belongs to.

To COLONEL TIMOTHY PICKERING

Head Quarters, May 12, 1782.

Sir: You will be pleased to settle with the Engineer what number of plank and other materials will be necessary for the proposed Operations of the Campaign; and as soon as this is ascertained you will make immediate and effectual provision for obtaining them in the earliest and best Manner.

You will also take Measures to inform yourself what Number and kinds of public Boats there may be remaing in any part of Connecticut and on the Sound, of those which were provided in that Quarter in the Year 1780, or at any Time since, and make your Report to me as soon as possible. I am &c.[40]

GENERAL ORDERS

Head Quarters, Newburgh, Monday, May 13, 1782.

Parole ———. Countersigns ———.

Mr. Nathaniel Sackett has obtained permission from the Commander in Chief to suttle to the Army untill further orders, upon conforming to the regulations for Conducting that business which will be pointed out to him by the Quarter Master General.

To THE SECRETARY AT WAR

Head Quarters, May 13, 1782.

Sir: In Consequence of [Majr. Genl Heaths representn. to you, before my arrival at this place and] your Letter of the 3d. of April. [I wrote a letter of which No. 1 is a Copy to Maj. Genl. Heath and obtained a specification of complaints made by the Officers against the Contractors No 2]

[40] The draft is in the writing of Jonathan Trumbull, jr.

Upon Receipt of this Colos. Humphry and Trumbull held a Conference with Mr Sands [at my desire] and inclosed is their Minutes of the Conversation, No. 3.

The papers No 4, are Messrs Sands Letter to Colo H and T. inclosing proposals, which followed the above Conversation.

No 5. Contains the Answer to the above proposals, and transmitted the Heads of Complaint to Mr Sands.

The Reply to this you will find in No 6, which appears plausible; but yet puts the Matter upon such footg that I see no probability of closing the Matter here to any Satisfaction. I therefore transmit the whole to you, [praying they may be laid before the Financier] that such future Measures may be taken as shall [be thought] proper.

Only observing that this State of Complaints respect the first Contract only, and that other Complaints against the Moving Contract, which are now formg by the Officers, will soon be transmitted.

You will notice particularly in the Minutes No 3, that Mr Sands disclaims all connection with the Army, and holds himself independent of any other person, but Mr Morris, and that *his* Tie upon him is but very slender. If this is really the Case, many Inconveniencies will doubtless arise, and the Army may be reduced to a deplorable Scituation.[41]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburgh, May 13, 1782.

Dear Sir: In reply to your favors of the 8th. 10th. and 11th. I have to observe: that Mr. Parker[42] ought to be transferred; that

[41] The draft is in the writing of Jonathan Trumbull, jr. The words in brackets are in the writing of Washington.

[42] Lieut. Levi Parker, of the Seventh Massachusetts Regiment. He was transferred to the Sixth Massachusetts Regiment in May, 1782, and retired in January, 1783.

the subject mentioned in your private Letter of the 10th. should excite particular vigilence on the part of the Officers; that Lieut Col Badlam should be relieved; that as General Glover (an extract from whose Letter I enclose) has at the request of the General Court appointed Mustering Officers, the necessity of sending others to the different places of Rendevouz will be superseded, unless you think you can send more suitable characters, in which case you are at full liberty to do it; that it will be certainly best to send on the Sergeants you propose to conduct the Levies; and also the Subalterns, upon condition they will go at their own choice and expence, or that the State will support them: for Congress having Resolved that the Recruits shall be brought on at the expence of the States to which they belong, no money can be allowed, by the public, for the purpose. I wish you to consider yourself authorized to take any further measures in this business you may deem expedient.

I approve your sending the french Deserters to the Consul at Philadelphia.

As soon as the season will possibly allow it with safety, the first Mass. Brigade may go into Tents.

I am making Regulations respecting the commutation of Rum or Whiskey, which will be published in Orders.

By the Orders of the 30th. Ulto. all Troops except those composing the Garrison of West Point, or actually stationed at the enumerated Posts dependent thereon, were meant to be comprehended under the general idea of the moving Army; and consequently the Connecticut Line, 3d Mass. Brigade and 10th. Regt. were to be supplied under the Contract for the moving Army. I did not suppose the Contractors for West Point were compellable to supply any Troops except those at the above mentioned Posts, without their own particular concurrence,

after the other Contracts took place; altho I was sensible there would be a discrimination in the issues. I am etc.

P. S. I am favored with yours of this day; the Deserter from the York line is sent back to the Provost of West Point.[43]

[MS. H. S.]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, May 13, 1782.

Sir: I transmit you herewith, a complaint of Lt. Allen[44] against the settlement of Rank as fixed by the Board of Officers for the Massachusetts Line.

It signifies very little to appoint Boards of Officers for these matters, if their determinations are not to be final, and am to be eternally troubled on the subject. If, thro' any mistake or otherwise, manifest injury is done to any individuals by the late Arrangement, those mistakes should be rectified by the Board, or at least such steps taken, as will for once put a final Stop to disputes of this Nature. I am &c.[45]

GENERAL ORDERS

Head Quarters, Newburgh, Tuesday, May 14, 1782.

Parole ———. Countersigns ———.

The pay Masters of the several regiments will apply to the assistant Clothier General for shirts and Hatts. As there is not

[43] In the writing of David Humphreys.

[44] Lieut. Nathaniel Coit Allen, of the Tenth Massachusetts Regiment. He was made captain of same in October, 1782; transferred to the Fourth Massachusetts Regiment in June, 1783; served to November, 1783.

[45] In the writing of Benjamin Walker.

On May 13 Humphreys wrote to Pickering, by order of the Commander in Chief, to furnish hospital tents and other articles for the accommodation of the sick in the field, agreeable to the requisition of the Chief Physician of the Army. Humphreys's letter is in the *Washington Papers*.

at present a full Supply of Hatts for the Army, two regiments in the Massachusetts Line and one in the Connecticut must remain unsupplied untill Hatts can be procured: which will be as soon as possible. The Commandants of regiments are to determine by Lott or consent what regiments shall receive the Hatts in store. The regiments of the Massachusetts Line which have lately received shirts and Hatts from their state Clothier are not to be considered in the present distribution.

As there may be some little difference in the size of Hatts the several regiments which are fortunate will cast Lotts who shall have their first choice. It is expected the Commanding officers of the Corps which shall be completed with Hatts will be extremely attentive to give them a military and Uniform appearance by cutting, cocking or adding such other decorations as they think proper. The Clothier will use his utmost efforts to obtain Hatts or caps for the three Regiments which cannot be furnished from the stock now on hand.

Previous to every inspection, the Clothier General or his assistant will furnish the inspector with an abstract of the cloathing which has been issued to each regiment since the last inspection: that by comparing these accounts with the Company Book and the Articles actually in possession of the soldier, the œconomy of the regiment may be evinced; and all kinds of negligence or irregularity be prevented.

The Clothier is, if practicable, to obtain worsted shoulder Knotts for the Non-commissioned Officers. The serjeants are to be distinguishd by one on each shoulder, and the Corporals by one on the right. In the mean time it is proposed that a piece of white Cloth should be substituted by way of distinction.

Major Bailies[46] is appointed an Extra Aid de Camp to the Commdr. in Chief, and is to be respected accordingly.

[46] Major Hodijah Baylies.

To THE SUPERINTENDENT OF FINANCE

Head Quarters, May 15, 1782.

Sir: The inclosed additional Contract formed by Genl Schuyler with Mr. Duer, came to Hand a few Days ago. I transmit it to you together with an Extract of the Letter which accompanied it, and hope the transaction may meet with your Approbation. I am &c.[47]

*To MAJOR GENERAL BENJAMIN LINCOLN

(Private)

Newburgh, May 15, 1782.

Dear Sir: I should be glad to know whether Colo. Pickering is detained in Philadelphia by proper authority, or whether his remaining there is to answer any valuable purpose?

I am sorry to add, but I cannot well avoid it, that for any good, or even knowledge I derive from this Gentleman, in his Office, I might almost as well act without a Qr. Mr. Genl. When I arrived at Phila. in Novr. last and found I was to be detained there by a vote of Congress, I informed Colo. Pickering of it, and that it was necessary I should have the heads of departments with me, to make the arrangements for the ensuing Campaign. He replied, that his papers had gone on to New Windsor, that some matters called him there for a few days; but that he would return emmediately. Instead of this, I saw nothing of him for three months, and had only one or two Letters from him during his absence. When I was about to leave Phila. I requested to know when he would be on,

[47] The draft is in the writing of Jonathan Trumbull, jr.

On May 15 Washington wrote briefly to Philip Schuyler acknowledging "the Counterparts of an Additional Contract with Mr Duer. . . . I am much obliged by your Care and Attention to this Business." The draft of this letter is in the *Washington Papers*.

(having many matters to settle with him) his answer was, in ten or twelve days; near 60 have elapsed, and now *I hear* (not from himself) that he does not expect to be here in half as many more.

The consequence of expecting every hour to see him, has prevented many orders, and caused much delay in essential preparations. In a word, I am left totally in the dark with respect to every matter, and thing in his department, and do not know at this hour when the Army will be able to take the field, or whether it can be done at all. I am etc.[48]

To THE SECRETARY AT WAR

Head Quarters, May 15, 1782.

Dear Sir: I have to reply to your several favors of the 6th and 7th Instant.

I have taken measures to obtain the sentiments of the Officers respecting their Rations so soon as I am favored with them they shall be communicated to you.

When a furlough was granted to Major Woodson[49] for three Months, it was determined that he should join his Regiment at the expiration of that time or should resign; he may therefore be considered as no longer in Service. Major Reid[50] is not in that predicament; the Resolves of Congress point out

[48] Lincoln answered (May 21): "Colonel Pickering is at his Home at the falls of Schuylkill where he has been for some days, I have repeatedly asked him when he should go to Head Quarters and always received for answer that he was at any time ready whenever he could be supplied with the necessary cash to enable him to discharge the duties of his office on his arrival; without that he could not go. . . . It is the opinion of Mr. Morris as well as of Colonel Pickering that he had better be absent from Camp than be there without money. I am myself of a different opinion. Nothing will I think bring him to Camp but an intimation from your Excellency that he must leave this place whether he receives the money he wishes for or not." Lincoln's letter is in the *Washington Papers*.

[49] Maj. Tarleton Woodson, of the Second Canadian Regiment. Heitman states that he resigned in March, 1782.

[50] Maj. James Randolph Reid.

the mode of procedure against Officers who neglect to Join their Corps.

I have ordered the Rhode Island Regiment to Join this Army immediately except such a party as it may be necessary to leave for the purpose of escorting to the Jersey line, the British Officer on whom I am unhappy to say I fear we shall be obliged to retaliate.[51]

To BRIGADIER GENERAL PETER MUHLENBERG

Head Quarters, May 15, 1782.

Sir: I have received your favor of the 23d of April, with the several Returns inclosed.

It being very necessary that the utmost Care should be used in the Disposal of our Military Stores; I shall be glad to be informed by whose order and for what purpose, the 1060 Muskets mentioned in the Return, were delivered; also the 2 Brass pieces of Ordnance, the Bayonets Cartridges and other Stores.

As these Deliveries are since the first of febry last, I can scarcely think that the Muskets mentioned can be those I directed last Fall to be delivered to the Order of the State of N Carolina, and cannot well conceive for what other purpose they could have been delivered. I am &c.[52]

*To COLONEL TIMOTHY PICKERING

Newburgh, May 15, 1782.

Sir: If you are not detained in Philadelphia by unavoidable means, and for valuable purposes, it is much my wish that you should repair to this place as soon as it can be done, conveniently.

[51] The draft is in the writing of Benjamin Walker.
[52] The draft is in the writing of Jonathan Trumbull, jr.

I am in total ignorance of your powers, and prospects of carrying the Army into the Field; and indeed of many other matters which are essential for me to know. The hourly expectation which I have been in, of seeing you with the Army, has prevented me from issuing some very necessary orders, and caused delays which I fear will be injurious to the operations of the Campaign.

I am induced to write thus, as I learn from your assistant, that it may yet be sometime before you arrive at this post.

[Your two Letters of 23d and 30th April have been received. A Daily expectation of your Arrival has prevented their being acknowledged before this.[53] I am &c.][54]

To MAJOR COGGESHALL OLNEY OR OFFICER COMMANDING THE RHODE ISLAND REGIMENT

Head Quarters, Newburgh, May 15, 1782.

Sir: Immediately upon the receipt of this, you will put the Rhode Island Regt. in motion, and conduct it by easy marches and the most convenient route, to join the Army on the North River. You must take care to bring on with you every man who is able to march, except such a Detachment as the Secry at War may think proper to order as an Escort for the British Officer who is to be sent to the Jersey Line for the purpose of Retaliation; this detachment which ought to be composed of picked Men under a careful Officer to join the Regt. wherever it may be as soon as that duty is performed.

[53] Pickering answered (May 29): "I have been favoured with your Excellency's letter of the 15th instant, which would have been acknowledged by the subsequent post, had I not been made to expect a small supply of money the same week, by the bearer of which I meant to write to your Excellency: but in this expectation also I was disappointed." Pickering then relates what measures he has taken and how he is forced to remain in Philadelphia until he can obtain a supply of money with which to satisfy, to an extent, the creditors of the Quartermaster Department. Pickering's letter is in the *Washington Papers,* indorsed by Trumbull: "Excuse for remaing in Phila."

[54] The portion in brackets is in the writing of Jonathan Trumbull, jr.

You will pay particular attention to the discipline and regularity of the Regt while on the March, seeing that the Men do not straggle from the Corps, destroy fences for fuel, or commit any other outrages whatever against the persons or property of the Inhabitants. I am etc.

P. S. You will come by the way of Kings ferry and give me notice two or three days before your arrival there.[55]

To MAJOR BENJAMIN TALLMADGE

Head Quarters, May 15, 1782.

Sir: I have received your Letter[1] by the Baron Steuben; and take the earliest opportunity to return the Enclosure. I could easily have excused your sending it to me; as I have so bad an opinion of the Writer of that Letter to you, that I wish never to hear or see any thing more of so infamous a character.[56] I am etc.[57]

To COMFORT SANDS

Newburgh, May 16, 1782.

Sir: When I conversed with you last on the subject of an Issuing Store at this place, or New Windsor, it was suggested that one might be so placed as to supply the Post at fish Kill, the Hospital &c. without much inconvenience, and for this purpose I requested a return of the Number of Rations which were deliver'd for each that I might be enabled to judge with more propriety of the expediency of the Measure.

Upon more Mature consideration of this Matter, resulting from the frequent complaints of the Hospital, and other department

[55] The draft is in the writing of David Humphreys.

[56] Tallmadge's letter to Washington of May 9 says: "I have just received a Letter from Mr. Silas Deane, which at the request of its Author, I beg leave to present to Your Excellency." Tallmadge's letter is in the *Washington Papers*.

[57] The draft is in the writing of Jonathan Trumbull, jr.

for want of an Issuing Post on this side of the River, where they can be furnished with more ease and less loss I am convinced of the absolute necessity of two, and therefore desire in pointed Terms, that you will no longer delay to establish them accordingly.

Alth' the Weather hitherto has been remarkably cool, the Meat of the last Issues to the Hospital I am informed was spoiled before it could be used; the same has happened in other instances. That justice therefore, which is due to the Army, must be attended to, as well as your particular convenience and Interests; a Contract not conducted to the reciprocal advantages of both parties must dissolve itself or dissolve the Army; it is unnecessary therefore to add any thing more on the subject unless it is, that if you can substitute any other mode that will give satisfaction to the parties concerned it will be agreable to Sir, etc.[58]

GENERAL ORDERS

Head Quarters, Newburgh, Thursday, May 16, 1782.

Parole ———. Countersigns ———.

The General is extremely concerned to learn that an Article so salutary as that of distilled Liquors was expected to be when properly used, and which was designed for the comfort and refreshment of the troops has been in many instances productive of very ill consequences. He calls the attention of officers of every grade to remedy these abuses and to watch over the health of their men, for which purpose he suggests the expedient of keeping liquor Rolls in every Corps, from which the Name of every soldier shall be struck off who addicts himself to drunkenness or injures his Constitution by intemperence; such soldiers as are Struck off are not to draw liquor on any occasion, but are to receive other articles in lieu thereof. The Quarter

[58] The draft is in the writing of William Stephens Smith.

Masters upon receiving such commuted Articles are to receipt for the full amount of the rations included in the returns: that there may be no irregularity in the Accounts.

The vile practice of swallowing the whole ration of liquor at a single draught is also to be prevented by causing the Serjeants to see it duly distributed daily and mixed with Water at stated times; in which case instead of being pernicious it will become very refreshing and salutary. An object so essential to the health of the Men ought not only to be super-intended by the Officer of Police, as it is worthy to attract the attention of every Officer who is anxious for the reputation of the Corps to which he belongs, the welfare of individuals and the good of service. But it rests principally with the Commandants of Corps to have so useful a regulation carried effectually into execution, as well as to preserve cleanliness, Oeconimy and good order, within the spheres of their respective commands.

Major General Heath will be pleased to settle with the Brigadiers and Commanding Officers of Brigades the quantity of liquor proper to be drawn in kind by the troops, after which he is authorized to commute by agreement with the Contractors the rations of Whiskey or such proportions of them as may be Judged Necessary, for Vigitables or other articles agreeably to the prices fixed in the Contracts to the component parts of rations.

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, May 16, 1782.

Sir: As soon as you have concluded with the Officers, the Quantity of Rum or Whiskey which will be best to be commuted, agreeable to the Orders[59] of this Date, you will be

[59] The draft reads "General Orders."

pleased to notify Mr. Sands (who if necessary will attend you for the purpose) and agree with him upon the particular Articles in which the Compensation shall be made. With Regard etc.[60]

GENERAL ORDERS

Head Quarters, Newburgh, Friday, May 17, 1782.

Parole ———. Countersigns ———.

The Commander in Chief proposes to take an early Occasion of reviewing the Army again; previous to which the Commandant of Artillery will have a sufficient Number of blank Cartridges made to give ten rounds to every man.

Major General the Baron Steuben will be pleased to point out the Manoeuvres to be performed and give the Necessary directions to the Troops Accordingly. The Light Infantry Companies are to be completed to the establishment out of the First Recruits of a proper discreption for that service which shall be received in the several State Lines. None but men enlisted for the War or three years are to be comprehended in this order.

To THE SECRETARY AT WAR

Head Quarters, May 18, 1782.

Dear Sir: I have been favored with yours of the 13th. instant. Disagreeable to me, as the Measure is, I am compelled by necessity to give Orders to Genl Hazen to select an Officer from among those under Capitulation or Convention; inclosed are my Instructions to him, which you will be pleased to forward.

I think it necessary and expedient that the Aide's D Camp, to the Brigadiers, and the Brigade Majors, should both be kept in

[60] The draft is in the writing of Jonathan Trumbull, jr.

Service; the latter with the additional pay formerly allowed them. Under proper Regulations and Restrictions, I am persuaded the Measure of Regimental Hospital Tents will be very useful and salutary. I have desired Doctrs Corkran and Craik to give me their Sentiments on the plan for Execution,[61] which I have thought best to inclose for your consideration. I am &c.[62]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, May 18, 1782.

Dear Sir: I have received your two favrs. of the 16th and this Day. In Reply to the postscript of the first, I can only say, that the Report of the Commissioners who met at Elizabeth Town, has been sent on to Congress, with a Submission to them, how far Exchanges in future shall be practiced. However desirable all Exchanges may be, nothing further can be done untill I am furnished with the Determination of Congress to govern my future Conduct in this matter. I am &c.

P. S. Col Swift may be absent as requested.[63] [MS.H.S.]

To BRIGADIER GENERAL MOSES HAZEN

Head Quarters, May 18, 1782.

Sir: It was much my Wish to have taken for the purpose of Retaliation, an Officer who was an unconditional prisoner of War. I am just informed by the Secy at War, that no one of that Description is in our power. I am therefore under the disagreeable necessity to Direct, that you immediately select, in the Manner before prescribed, from among all the British Captains

[61] In the *Washington Papers* under date of May 18, and signed by Drs. John Cochran, James Craik, and Henry Latimer.

[62] The draft is in the writing of Jonathan Trumbull, jr.

[63] In the writing of Jonathan Trumbull, jr.; the P. S. is in that of David Humphreys.

who are prisoners either under Capitulation or Convention, One who is to be sent on[64] as soon as possible, under the Regulations and Restrictions contained in my former Instructions to you. I am etc.[65]

To BRIGADIER GENERAL ELIAS DAYTON

Head Quarters, May 18, 1782.

Sir: Yours of the 14th. Instant, I have rec'd and am obliged to observe that the proceedings of the court martial of which Lt Colo. Cummings is president are executed in such a manner as to carry the strongest marks of hurry and inattention. The opinion of the Court is noted in a most singular Manner, viz "The Court are of opinion, after the most mature deliberation that three of the Prisoners are Guilty of the Charges exhibited against them and sentence the five to suffer Death," not in consequence of their being Guilty of a breach of any of the Articles of War by which Courts Martial are to regulate their opinions, but according to what they stile the Customs of War and usages of Nations in similar Cases.

Congress having been particular in pointing out the Cases wherein Courts Martial may pass sentence of Death, any opinion given upon different Principles be the crimes ever so notorious cannot with propriety meet with my approbation. I must therefore dissolve the Court and wish that the Civil Power may take such steps for the punishment of the Offenders as may seem to them proper.

I am of opinion that the Court could not, consistent with the strict Letter of the oath as contained in the Article of War submit their proceedings to any other than the General

[64] From Lancaster, Pa.
[65] The draft is in the writing of Jonathan Trumbull, jr.

Commanding a separate department or the Commander in Chief; though the Custom of our army has in many Instances been different. I am &c.[66]

GENERAL ORDERS

Head Quarters, Newburgh, Saturday, May 18, 1782.

Parole ———. Countersigns ———.

Upon a late visit to the Hospitals the General was pleased to find them in such good order. He is happy in persuading himself the most tender and assiduous attention will continue to be paid to the sick and wounded; and that the circumstances of the Public will enable them to be amply Supplyed with Medicines, refreshments and accomodations.

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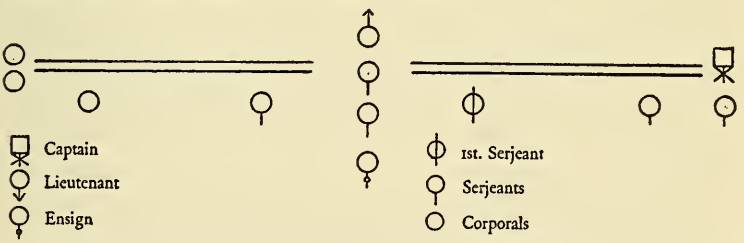
[66] The draft is in the writing of William Stephens Smith.

In the William Ely Collection, Providence, R. I., is an interesting memorandum, headed "Notes for Genl. Washington." It is indorsed with the date May 18, 1782, and was found among Baron Steuben's papers. It is a list of 8 things suggested as needing attention since Steuben's Regulations were put in practice. The eighth item reads: "When the regulations were published the Establishment of the Army was three serjeants and three Corporals to each Company but the Establishment having been since altered to five Serjeants and three Corporals, insted of the former method of posting the N. Comssd. Officers the following is for the future to be Observed: A Serjeant to cover the Captain. A Serjeant to cover the Lieutenant. A Serjeant to cover the third file from the right of the 1st. platoon. A Serjeant to cover the 3d. file from the right of the 2d. Platoon. The first serjeant to cover the third file from the left of the 1st. Platoon. The first Corpl. to cover the third file from the left of the 2d. Platoon. The other two Corporals in Rank and file on the left of the Company agreeable to the following Plan of the formation of a Complete Company:



A photostat of this document is in the *Washington Papers,* kindly furnished by Mr. Sly. The lieutenant symbol is reversed in the original.

To COLONEL PHILIP VAN CORTLANDT

May 19, 1782.

Sir: The inclosed papers have been produced to me to prove the term of inlistment of John Chamberlayne of your Regt.[67] By these papers it appears that his time of Service expired some time since.

I desire you would have an enquiry made into this matter and acquaint me with the result. Chamerlayne has my permission to remain at home 'till the affair is determined. I am &c.

P. S. Two Judicious Officers must be immediately Sent on to receive the proportion of Levies destined for your Line; they will call on me for Orders.[68]

To LIEUTENANT COLONEL FREDERICK WEISSENFELS

May 19, 1782.

Sir: I have recd your favor of yesterday. Orders shall be given to the Contractors at the upper Posts to furnish Provision for the Levies in those parts in such quantities and to such persons as the Governor shall direct. The Levies at Bedford may draw from the nearest Continental place of Issue and those at Orange Town from Dobbs ferry. Orders will be given accordingly.

I have given Capt. White[69] an Order for the Ammunition necessary for the troops to go to the frontier. I am &c.

N. B. The order was for 24 Rounds Cartridges and flints for 300 Men.[70]

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[67] Second New York Regiment.

[68] The draft is in the writing of David Cobb and Hodijah Baylies; the P. S. is in that of Benjamin Walker.

[69] Capt. Andrew White, of Weissenfels' New York levies.

[70] The draft is in the writing of Benjamin Walker and Hodijah Baylies.

To COLONEL BENJAMIN TUPPER

Head Quarters, Newburgh, May 20, 1782.

Sir: I have recd your Letter of the 11th. Inst and another without date the former inclosing the proceedings of a Court Martial held for the Trial of Shem Kentfield.[71] Inclosed you have copy of the General Orders approving the proceedings and a Warrant for the Execution of the Prisoner. The place of Execution is left to you; the necessity of the Contractor's furnishing Hard Bread when required has been mentioned to Mr Morris who will doubtless take measures accordingly. I am &c.[72]

To LIEUTENANT COLONEL FREDERICK WEISSENFELS

Head Quarters, May 20, 1782.

Sir: It has been suggested to me that a considerable number of the Levies raised by the State[73] for 8 Months, might be Inlisted into the Continental Regiments for longer periods, provided such a measure was encouraged by their Officers.

When it is considered of how little Service these Men are, when detached for so short a time, and what Essential benefits will accrue, not only to the public at large but to this State in particular, from their being Inlisted into the Continental Regiments of this State; I cannot but be persuaded, that you will do all in your power to forward it; but as much will depend on the Encouragement given by the inferior Officers, who are more intimately connected with the Men, It would not be amiss for

[71] Private in the First New Hampshire Regiment.
[72] The draft is in the writing of Benjamin Walker.
[73] Of New York.

you to explain to those Gentlemen, the very Essential Service they will render Country by encouraging these Inlistments, and as the Continental line must be compleated it will make no difference in their Commands whether we Inlist them or they are obliged to send them by Detachmt.

In conversation with Governor Clinton I was glad to hear he had already recommended this matter to your attention, I wish you to follow any directions he may have given you. I am &c.[74]

To COMFORT SANDS, WALTER LIVINGSTON, AND OTHERS[75]

Head Quarters, May 20, 1782.

Gent: I think it proper to acquaint you that such of the Levies of this State as shall be directed to serve in the lower parts of this State are to be considered as part of the moving Army and are to be supplied accordingly.

A Detachment of them is ordered to Bedford and another to Orange Town.[76] I have directed them to draw from the nearest place of Issue to their respective Posts. You will be pleased to give the necessary orders to your Commissaries accordingly. I am &c. [74]

GENERAL ORDERS

Head Quarters, Newburgh, Monday, May 20, 1782.

Parole ———. Countersigns ———.

The General did not make any public remarks on the last inspection Returns, because at that time several Corps had not

[74] The draft is in the writing of Benjamin Walker.
[75] Contractors for supplying the moving Army.
[76] These detachments were composed of New York levies.

received their New Cloathing and consequently a difference of appearance was unavoidable. He cannot however conceal the pleasure he received from finding the Two regiments of New York in the best order possible: by the report of the inspector General, which also concured with his own observation.

As on the one hand it will afford the highest satisfaction to the Commander in Chief to have frequent opportunities of giving honorable Testimony to Military merit, so on the other, he is convinced the good of the service and the faithful discharge of his duty requires that every remarkable instance of demerit, want of attention, or Negligence should meet with reprehension. He will not therefore hesitate to commit to the Records of the Army what shall appear to him to be the destinguishing characteristick of any particular Corps.

To WILLIAM DUER AND OTHERS[77]

Head Quarters, May 20, 1782.

Sir: I think it proper to inform you that Such of the Levies raised by this State as may be ordered to serve in the upper Country are to be supplied under your Contract.

You will please to take Govr Clintons directions to whom you are to issue and Should any of the Levies be detached on the Frontiers to places so remote as to render it impossible for you to issue to them, the Governor will in that case draw on you for such quantities of Provision as will be necessary and appoint proper persons to Issue it. I am &c.[78]

[77] Contractors for supplying the Northern Department.

[78] The draft is in the writing of Benjamin Walker.

On May 20 Washington wrote to Maj. Gen. William Heath granting permission to send a sergeant to Boston to assist in forwarding hats for Colonel Greaton's regiment "provided no charge is to be brought against the public therefor." This letter is in the Massachusetts Historical Society.

To SIR GUY CARLETON

Head Quarters, May 21, 1782.

Sir: I take the earliest Moment to inform your Excellency, that your Request of a passport for Mr Morgan to go with Dispatches to Philadelphia, is disagreeable to Congress and cannot be admitted.

A Number of the Inhabitants of the State of So. Carolina, principally Women and Children, having under the British Administration, been sent from Charlestown to Pennsylvania; I have the Honor to propose that proper passports may be given from Your Excellency for their Safe Return, with their Baggage to the State of So Carolina. And as these unfortunate persons have been removed by Orders of the British Commanders, I am directed further to propose, that the Expence of their Transportation shall be borne by the King of G Britain, and that your Orders may be given for that purpose.

Your Excellency will oblige me by giving an early reply to this proposal; the persons havg been long absent from their own State and Friends, are anxious to return to their Homes, in the most easy and expeditious Manner. I am &ca.[79]

To CAPTAIN JONATHAN DAYTON

Head Quarters, Newburgh, May 21, 1782.

Sir: I have received your Letter of the 18th. by Mr. Skinner, from whom I have also learnt that a flag which lately arrived with Prisoners from New York, has been detained in conformity to my orders on that subject until further directions should be received; in which you have acted very properly. But you will on the receipt of this suffer the flag to return, informing

[79] The draft is in the writing of Jonathan Trumbull, jr.

the Officer that no more flags are to be sent from or received at Elizabeth Town, and that any Persons coming from the Enemy to that place with a flag hereafter, will be considered and held as Prisoners. I am &c.[80]

*To SECRETARY FOR FOREIGN AFFAIRS

Newburgh, May 22, 1782.

Dear Sir: While the Qr Mr. is *endeavouring* to furnish the bearer (who is said to be charged with important dispatches for Congress, from France) with a fresh horse; I set down to acknowledge, in haste, the receipt of yr. favor of the 30th. Ulto; and to thank you for the information which it contains.

We wanted no fresh opiate to increase that stupor into which we had fallen, but I much fear that the idle, and delusive offers of Peace with which the Country resounds, will, if it is not powerfully counteracted, be exceedingly injurious to us; not (I apprehend) from any disposition in the people to listen to improper terms, but from a misconception of what is really meant, and the arts which are used to make them believe that Independence, and what not, are proffered to them. Under these ideas they ask, why need we be taxed, or why need we be put to the expence and trouble of compleating our Battalions?

It is to be hoped, that the dispatches which are now on their passage to Congress, will announce the aids wch. are intended for us by the Court of France, as it is high time the plan of Campaign was known, which cannot be the case till we have materials to project one. Would to God there may not be too much truth in the British account (in the York Gazettes) of the advantages gained by her in the Naval Action off Gaudaloupe; it may be productive of a total derangement of the plans of the French Court, this Campaign.

[80] The draft is in the writing of David Humphreys.

If there should be any Letters for me, from the Marqs. De la Fayette under cover to you, or Congress, I shall be thankful to have them forwarded by the return of the Express, or any other safe and speedy conveyance, as I wish much, to be relieved from my present state of suspence with respect to many matters which I presume will be the subjects of the Letters he may write. I have the honr. etc.

*To COLONEL LEWIS NICOLA

Newburgh, May 22, 1782.

Sir: With a mixture of great surprise and astonishment I have read with attention the Sentiments you have submitted to my perusal. Be assured Sir, no occurrence in the course of the War, has given me more painful sensations than your information of there being such ideas existing in the Army as you have expressed, and I must view with abhorrence, and reprehend with severety. For the present, the communicatn. of them will rest in my own bosom, unless some further agitation of the matter, shall make a disclosure necessary.

I am much at a loss to conceive what part of my conduct could have given encouragement to an address which to me seems big with the greatest mischiefs that can befall my Country. If I am not deceived in the knowledge of myself, you could not have found a person to whom your schemes are more disagreeable; at the same time in justice to my own feelings I must add, that no Man possesses a more sincere wish to see ample justice done to the Army than I do, and as far as my powers and influence, in a constitutional way extend, they shall be employed to the utmost of my abilities to effect it, should there be any occasion. Let me conjure you then, if you have any regard for your Country, concern for yourself or posterity, or respect

for me, to banish these thoughts from your Mind, and never communicate, as from yourself, or any one else, a sentiment of the like Nature.[81] With esteem I am.[82]

To THE SECRETARY AT WAR

Head Quarters, May 22, 1782.

Dear Sir: Your Favor of the 15th. is received, with its several Inclosures.

The Resolution of Congress respectg. the Inhabitants of So Carolina, would have been communicated to the British Commander in Chief in N York, before this Time, but for the disagreeable Circumstance of Retaliation which has intervened;

[81] The above letter is the answer to Nicola's letter of May 22, 1782, from Fishkill, which inclosed an unsigned, 7-page document, in the writing of Nicola, which, after discussing the plight of the Army, its hardships, lack of pay, suffering, etc., entered into a discussion of the various forms of government, the inefficiency of Congress and then proposed a "scheme" for obtaining the just dues of the Army. "This war must have shewn to all, but to military men in particular the weakness of republicks, and the exertions the army has been able to make by being under a proper head . . . it will, I believe, be uncontroverted that the same abilities which have led us, through difficulties apparently unsurmountable by human power, to victory and glory, those qualities that have merited and obtained the universal esteem and veneration of an army, would be most likely to conduct and direct us in the smoother paths of peace. Some people have so connected the ideas of tyranny and monarchy as to find it very difficult to seperate them, it may therefore be requisite to give the head of such a constitution as I propose, some title apparently more moderate, but if all other things are once adjusted I believe strong arguments might be produced for admitting the title of king, which I conceive would be attended with some material advantage. . . . Republican bigots will certainly consider my opinions as heterdox, and the maintainer thereof as meriting fire and fagots, I have therefore hitherto kept them within my own breast. By freely communicating them to your Excellency I am persuaded I run no risk, and that, tho disapproved of, I need not apprehend their ever being disclosed to my prejudice." This document and its forwarding letter are in the *Washington Papers*.

Nicola's agitation at receiving Washington's rebuke was such that he wrote three times (May 23, 24, and 28, which letters are in the *Washington Papers*) to the Commander in Chief, apologizing for making the suggestion. These letters are manly compositions, indicative of the relations subsisting between Washington and his officers. In the letter of May 24 Nicola said: "I solemnly assure your Excellency that I have neither been the broacher, or in any shape the encourager of the design [for the army] not to seperate at the peace 'till all grievances are redressed, but have often heard it mentioned either directly or by hints."

[82] At the close of this draft the following note, also in the writing of Washington, is added: "The foregoing is an exact Copy of a Letter which we Sealed and sent off to Colonel Nichola at the request of the writer of it. D. Humphreys Aid. de. Camp. Jona. Trumbull, Junr. Secty."

the purport of that Resolve is transmitted in my Letter of Yesterday to Sir Guy Carleton.

Inclosed is an Extract of a Letter from B Genl Irvine at Fort Pitt, respectg a Number of unfortunate friendly Indians, whose Circumstances are distressed, and who ought to be provided for; I transmit it for your Consideration, and request that Measures may be taken for their comfortable Relief. I am &c.

P. S. I inclose to you a Copy from the Genl Orders of last Year respectg Promotions in the Corps of Sappers and Miners, and have to desire that Commissns may be sent forward agreeable to the several Appointments. The Letters Inclosed you will please to forward by the first favorable Opportunity.[83]

To THE SECRETARY FOR FOREIGN AFFAIRS

Head Quarters, May 22, 1782.

Sir: I have been honored with your Favor of the 13th. communicating to me the formal Annunciation to Congress, by the Minister of France, of the Birth of a Dauphine.

Measures are ordered to convey to the Army the News of this happy event, wch. will be celebrated with such Demonstrations of Joy as the Occasion requires and our Circumstances will admit.

This Information will be transmitted to Genl. Greene that the Army, under his Command, may participate in the general Joy. I have the Honor etc.[84]

To GOVERNOR JOHN MATHEWS

Head Quarters, May 22, 1782.

Sir: I have been hond with your Excellys two Favrs. of the 15th. of March and 11th. of April.

[83] The draft is in the writing of Jonathan Trumbull, jr.
[84] In the writing of Hodijah Baylies.

I am happy to Observe the good Disposition of the State over which you preside; their Exertions seem to rise in proportion to the Distresses in which they have been involved. The Act for Recruitg your Line I hope may be attended with happy Consequences.

Our Affairs at this moment are placed in a most critical Situation, a Situation which claims all our Wisdom and Vigor. The Enemy are again trying the Arts of Delusion and Seduction. A total Revolution in their Ministry will be announced to you; this will probably produce a Revolution in Measures, not, I fear, favorable to a speedy Restoration of Peace. Sir Guy Carleton is arrived at N York with propositions of Conciliation similar to those [made?] in 1780.[85] Ostensible and Delusory, the Consequences [mutilated] Time must disclose.

I feel myself honored by the very polite Claim which you are pleased to make upon my friendship and shall ever be happy in an Occasion to manifest to your Excellency the Esteem with which you have impressed me, and to convince you thereof by any Communications worthy of Notice in your public Capacity. I have &c.[86]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, May 22, 1782.

Sir: Your two favors of Yesterday have been received.

The General just going out, directs me to reply, that it is his Desire that upon the Arrival of Colo Badlam, you should Order him immediately in Arrest, producing such Charges against him as you find can be properly supported, for which purpose it will be necessary perhaps to take an Examination of the Recruits who are rejected.

[85] See the letters of John Adams to the President of Congress, Mar. 23 and Mar. 24, 1780, and the resolves of Congress of Oct. 18, 1780.

[86] The draft is in the writing of Jonathan Trumbull, jr.

The Baron will be inspectg in a few Days and will determine what shall be done with the Men you mention. It is his Excellencys Opinion, that they should be sent back at all Events, even if we never get a Man in their place; retaing them with the Army will be insuring an expense without any real Service.

The Intentions of the Enemy, be they what they may, should sping [sic] the Officers in general and those on the Lines and Out post more particularly to double Vigilence and Activity; the lulling Opiates lately handed out to us from the Enemy, have not been administered without Design. I hope they will fail to produce the Effect Desired.

The inclosed Letter for *Sir Guy,* the Genl Desires may be forwarded to Capt. Pray, who may be furnished with a Flag for its Conveyance, at a convenient Opportunity. I am etc.[87]

To MAJOR GENERAL NATHANAEL GREENE

Head Quarters, May 22, 1782.

Dear Sir: Your three Favors of the 7th. 13th and 15th of April are received, with their several Inclosures.

A Variety of circumstances at this Time conspire to prevent an ultimate Decision upon the Operations of the Campaign.

Before this can reach you, a total Change of Men and Measures, which has taken place in G Britain, will be announced to you; what will be the consequences of this Revolution, cannot with certainty be declared. Already, Sir Guy Carleton is arrived at N York, charged, as he says, with a Commission of peace, in conjunction with Admiral Digby; his Terms of Conciliation, which have been sent to me, bear the Aspect of those brot by former Commissrs. in the Year 1780, merely ostensible and Delusory.

[87] The draft is in the writing of and is signed "J. Trumbull Jr."

As soon as our plan of Operations is fixed, which I hope will soon be done, you will be informed of every Measure necessary to be communicated to you. In the mean Time I forbear entering into any particular Details.

Genl St Clair is not yet arrived at my Camp. I shall defer makg any reply to your proposed Regulations of the Army till I have seen him.

I am very glad to hear of the safe Arrival of Mrs Greene at your Quarters, and most sincerely give you Joy of the Event. Mrs Washington joins me in most cordial compliments to Mrs Green, and our hearty good Wishes for her and your Health and happiness.

Within a few Days the happy Event of the Birth of a Dauphin of France, has been formally announced to Congress by the Minister of France; its Celebration has been observed in Phila and is directed to be noticed in the Army, with such demonstrations of Joy as are thought proper for the Occasion. This will be done here, and I now make the Communication to you, that the Officers of your Army may take an Opportunity to participate in the General Joy. I am &c.[88]

To COLONEL ANN HAWKES HAY

Head Quarters, May 22, 1782.

Sir: Yours of the 27th. Ulto. I have received. The Artillery stationed at the post at Stoney Point, is considered as barely sufficient for its defence; should any detachment therefore be made for the purpose mentioned it might be exposed, as the ships should they make their appearance, favour'd by a small breeze, would be able to pass the fort before it would be possible to return the piece to its station. I cannot therefore with propriety give the order you request.

[88] The draft is in the writing of Jonathan Trumbull, jr.

I must acknowledge myself obliged for your spirited offer, and if it does not interfere with the arrangements of the Artillery that Genl. Knox may make upon his arrival, a piece shall be station'd at the fort for the purposes alluded to in yours.[89] I am etc.[90]

To BRIGADIER GENERAL JOHN GLOVER

Head Quarters, May 22, 1782.

Sir: I have received your two favrs. of 30th Apr. and 4th instant.

It was very well, in the Situation of the Recruiting Business in your State, that you interposed to put it on a more promising footg. I wish it may now proceed with better Success and more Dispatch than has hitherto attended it.

In the Situation of your Health, as described by you, it would I think be impossible for you to attend your Duty in Camp. It would therefore be useless for you under such Circumstances to join the Army. But, altho I have no reason to doubt your Report, yet as the absence of Officers of your Rank from active Service, is apt to be particularly noticed, and is liable to be construed into partial Indulgence [unless there is evident cause for it,] I must request, for my Justification, as well as your own sake, that you will attend to the general Regulations prescribed in Cases like yours, and send me the necessary Certificates of your Physicians, of your State of Health. As soon as it shall be judged that your Health will permit, I shall expect that you will immediately join the Army without loss of Time. I am &c.[91]

[89] Hay had requested the loan of a cannon for Haverstraw with which to oppose British craft that came up the river occasionally. Hay's letter is in the *Washington Papers*.

[90] The draft is in the writing of William Stephens Smith.

[91] The draft is in the writing of Jonathan Trumbull, jr.

To BRIGADIER GENERAL WILLIAM IRVINE

Head Quarters, May 22, 1782.

Sir: I have been favored with your two Letters of 20th April and 2d May, and am much obliged by your Vigilence and Attention.

An Extract respecting the removing and Support of the Indians, I have transmitted to the Secty at War, and desired him to take measures for the relief and Comfort of those distressed wretches.

Any further particulars you can obtain of the Route to Niagara and its practicability, you will please to forward to me as early as possible; the more minute and circumstantial the better. I am &c.[92]

GENERAL ORDERS

Head Quarters, Newburgh, Wednesday, May 22, 1782.

Parole ———. Countersigns ———.

At a General Court Martial held in Albany the sixth day of May instant by order of Col. Tupper, whereof Major William Scott[93] is President, was Tried, Shem Kentfield soldier in the first New Hamshire Regiment. For desertion and bearing Arms in the service of the King of Great Britain against these United States.

The Court having duly considered the charges, with the circumstances for and against the Prisoner, are unanimously of Opinion that the prisoner Shem Kentfield is guilty of the charges exhibited against him being a breach of Art. first sect. 6 of the Articles of War and do sentence him to suffer Death, by Hanging by the Neck untill he is dead.

[92] The draft is in the writing of Jonathan Trumbull, jr.

[93] Of the First New Hampshire Regiment. He had been wounded at Stillwater N. Y., in September, 1777. Heitman states that he retired in January, 1781.

The Commander in Chief approves the sentence of the above Court Martial and orders it to be put into execution at such time and place as may be ordered by the officer commanding at Albany.

To GOVERNOR GEORGE CLINTON

Head Quarters, May 23, 1782.

Sir: I have been honored with your Excellency's Letter of Yesterday, with its Inclosures respecting Mr Murson.[94]

Sensible of the Impropriety of suffering persons of his Character to remain in the Country at this Time, I inclose to your Excellency a permission to Capt Pray who commands at Dobb's Ferry, to pass Mr Muirson within the Enemy's Lines. The Time for his going in I submit to your Excellency knowing that you will not wish his Continuence longer than is necessary.

It was my Expectation that your Levy Recruits would have been delivered by the State to their Regiments. But two officers having been ordered on to Receive those at Fishkill from Colo Weizenfelts, I think it will be best for those from Colo Willets Regiment to be delivered at the same place. I have the Honor etc.[95] [N.Y.P.L.]

To CAPTAIN THOMAS MACHIN

May 24, 1782.

[Sir:] You will proceed to Fishkill and there apply to Colo. Weissenfels for the proportion of the Levies destind for your

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On May 23 Col. Benjamin Tupper, of the Tenth Massachusetts Regiment, commanding at Albany, N. Y., wrote to Washington that Shem Kentfield had disclosed that General Haldimand had sent two men from Canada to Portsmouth, N. H., to burn the Continental ships at that place. One was a Lieut. Simpson Jenney and the other, one Balding. Washington forwarded this information to President Meshech Weare in a brief note dated May 27, the draft of which is in the *Washington Papers*.

[94] Benjamin Woolsey Muirson, of Long Island.

[95] In the writing of Jonathan Trumbull, jr.

Line one half of which are for the Regiment of Artillery and the other half for the two Regiments of Infantry.

You are to receive no Men but such as are able bodied and every way fit for Soldiers.

So soon as you have received your proportion of Colo. Weissenfels's Regt. you will send them on to the Regiments for which they are destined under the Care of an Officer and the remaining Officers will wait at Fishkill to receive those which will be sent from Colo Willets Regiment which are to be divided in the same manner.

Before you send away the Recruits you will make a Return to me of the number you have reced. I am etc.[96]

SYSTEM FOR CONTRACT RATION ISSUE[97]

[May 24, 1782.]

The Officers of each Regiment to give a return to the Quarter Master every drawing day of the number of Rations they want not exceeding the whole number each Officer is intitled to. The Quarter Master having these returns is to make out a return for the whole, draw it from the Contractors and divide it among the Officers agreeable to their returns charging each Officer with what is respectively delivered to him, in an account he is to keep for that purpose the Contractor is to keep only one account (for the Officers of each Regt.) with the Quarter Master, whom he is to charge with what he issues on his returns.

At the end of every Month the Contractor is to make up his account against each Regiment (at the prices fixed in the

[96] The draft is in the writing of Benjamin Walker. The same letter was sent to Lieut. John Furman, of the First New York Regiment, and Ensign Bernardus Swartwout, of the Second New York Regiment.

[97] Proposed by Washington to the contractors. (See Washington's letter to the Superintendent of Finance, June 8, 1782.)

Contracts) and Send it together with the Vouchers on which the Rations were delivered, to the Pay Mr. Genl. or his Deputy in Camp.

The Quarter Master of each Regiment shall likewise at the end of every Month make out and transmit to the Pay Mr or his Deputy an amount of the Rations he has reced from the Contractor. If the Pay Master finds the two Accounts correspond he is to pay the Contractor the sum due on his account.

The ballance of the Subsistance Money due Each Regiment (if any) to be paid to the Quarter Master who is to give each Officers account Credit for the whole of his subsistence Money and pay him the ballance.

When any Articles included in a return, are not in Store to be delivered and due bills are given, such due bills shall be transmitted with the Quarter Masters Account to the Pay Master and Credit shall be given the Regiment for the Amount of them valuing the Articles at the prices fixed for the Component parts in the Contract, except when it shall be mutually agreed between the Quarter Master and Contractor to pay them off in kind.

When the Quarter Masters and Contractors accounts do not agree, the Pay Master must examine the Account by the Quarter Masters Receipts, and pay it accordingly first deducting the the due bills from the Contractors as above specified.[98]

To COMFORT SANDS

Head Quarters, May 25, 1782.

Sir: After the conversation between Cols Trumbull and Humphrys and yourself on the 6th of May (which was reported

[98] The draft is in the writing of Benjamin Walker.

A copy of these regulations were inclosed in Washington's letter to Benson, Smith, and Hobart, July 9, 1782, *q. v.*

to me in writing) and the subsequent Papers which passed between them and you, to your Letter of the 11th inst. inclusive; I am astonished beyond expression to find the following Words in a communication from you to the Field Officers of the Army dated the 14th of May, viz, "we have offered the Commander in Chief to submit *all disputes in any equitable mode which he may direct.*" An assertion so diametrically opposite to the fact, and which carries so strong marks of willful equivocation (as all these transactions were so recent they could hardly have escaped your memory) that I am at a loss on what principle to account for this preposterous conduct; unless you meant to exculpate yourself, by an appearance of candor and fairness on your part, and to insinuate to the Army, that if all matters in dispute were not speedily terminated, I must be considered as the sole cause of it, because you had offered that all of them should be decided in any equitable mode I might direct. Whether this was the principle or not is very unimportant to me; it is enough, that this was the apparent tendency of your assertion, and that all the Papers necessary to elucidate the entire proceedings are still in existence.

And now, Sir, in order to refresh your Memory, I must beg leave to draw your attention to two simple facts; did I not propose to you thro Cols Humphrys and Trumbull immediately upon my receiving the Complaints of the Officers against you, to have all those charges candidly and fairly examined into and decided by three judicious impartial Persons, not belonging to or connected with the Army, one to be appointed by you, another by me, and the third to be nominated by the two chosen as beforementioned? And did you not positively refuse any such reference without you were allowed to dictate your own conditions and restrictions, and did you not even obstinately persist in such terms of settlement as in my opinion

defeated the whole object of the reference? but the truth is incontestable, and your answer to these points unnecessary.

In consquence of this, and to avoid any farther altercation or shifting of ground, I transmitted the whole Proceedings to the Secretary at War, on whose decision the matter now rests.

But, Sir, if you have not again altered your mind on this subject; I wish to be informed in very clear and explicit terms which cannot admit of misconstruction or misconception, whether you do now offer to the Commander in Chief, to submit all disputes respecting the Contracts to be decided in any equitable mode which he may direct. I shall expect your answers to this question and am etc.[99]

GENERAL ORDERS

Head Quarters, Newburgh, Saturday, May 25, 1782.

Parole ———. Countersigns ———.

The First Brigade of Massachusetts is to Encamp on the ground formerly occupied by the Pennsylvanians near Moores House. The Deputy Quarter Master will furnish straw for the Troops when they go into Tents.

To BRIGADIER GENERAL ELIAS DAYTON

Head Quarters, May 25, 1782.

Sir: After maturely considering the Circumstances that attend, the communication with Mr. ——— and the little advantages that have originated from it, I am Induced to believe that he is acting a double Part for private and self interested Purposes, if nothing more in View by it and that he is conducting it in such a manner as to render it almost impossible for you

[99] The draft is in the writing of David Humphreys.

to detect him, this with other particular Reasons induces me to think it most advisable to bring his affairs to a Crisis by availing myself of his offers and the advantages that present themselves for the purpose.

Colo. Ogden has forwarded to me a Plan to accomplish the matter referr'd to which has met with my approbation and he has recd my order to carry it into execution; you will therefore please to permit him to march his Regt. from your Camp at such Time and in such Manner as may appear to him most proper, and that you will afford him every other assistance that may be in your power and consistent with the good of the service. I am &c.[1]

*To COMFORT SANDS

Newburgh, May 25, 1782.

Sir: I have this moment received a Letter from General Heath of which the inclosed is a Copy. Why Sir are the Troops without Provisions? why are the deposits which have so often, and so long ago been required by General Heath, and pressed by myself, neglected? Why do you so pertinaciously adhere to all those parts of the Contracts as are promotive of your own Interest and convenience (several of which from the plain import, and natural meaning of the Words, and were these out of the question, from usage and custom in like cases) you cannot be justified by, and at the same time disregard the most essential claims of the public; thereby hazarding the dissolution of the Army, and risking the loss of the most important Post in America? Is it because it is a little more expensive to keep a stock of Cattle on hand at Pasture than to slaughter them one by one as they arrive? Is it because it suited your interest and

[1] The draft is in the writing of William Stephens Smith.

convenience better to delay making the deposits of Salt Provision &c. at West point to a more convenient season that that important Post has stood, and now stands in jeopardy? and is it to these causes I am to attribute the want of Vinegar (so essential to the health of the Army) and other breaches of your Contract?

I am very sorry to find myself under the necessity of informing you, that there are two parts to these contracts, and that while you seem so well disposed to exact, with great rigidness, the fulfilment of the one, it becomes my duty to look to the performance of the other. I am further to observe to you, that the Contract for the moving Army does not exonerate, the Contractor for West point and its dependencies from the performance of any, and every clause which was designed for the benefit of the Garrisons of them. I mention this, because I am informed your Issuers are disposed to apply all the advantageous parts (for the Contractor) of the Contract for the moving Army, to the injury and inconvenience of those who are to be supplied under the latter; which can be attempted under no rule of reason or Justice that I am acquainted with and must be the effort of an improper spirit. I am etc.

To COLONEL MATTHIAS OGDEN

Head Quarters, May 25, 1782.

Sir: The Plan as proposed to me by you thro' Capt Ogden[2] appears Eligible, you have therefore my Permission to carry it into execution.

Colo. Dayton has my Order to permit you to march your Regt from Camp at such Time and in such a manner as may appear to you most eligable.

[2] Capt. Aaron Ogden.

Capt Ogden will deliver to you my sentiments upon the affair more fully than it would be proper for me to commit to paper.

I can only request you to be particularly guarded against deception, and hope the Plan may succeed to your wish. I am &c.[3]

To THE SUPERINTENDENT OF FINANCE

Head Quarters, May 17 [–25], 1782.

Sir: I have been honored with your Favor of the 23d of April. The Information it contains, is in some Respects, pleasing and important. I thank you for the Communication; and need not assure you, that your Confidence shall never be abused by me.

[In a circular Letter which I have lately written to the States, I have taken Occasion to mention, the failure you experience from them, in their non-payment of the Sums demanded by the Requisition of Congress for the 8,000,000 Dollars. I have represented in the most pointed terms I could use, the ill Effects this failure must have upon our military Operations; and have urged them, with the warmth of Zeal and earnestness, to a full and speedy compliance with your Expectations. I wish this Application may have its desired effect.]

I am experiencing much Trouble from Complaints of the Army against Mr. Sands's execution of his Contract. By last post I transmitted to the Secretary at War, Copies of proceedings respecting the Contract for West Point and its dependencies, and inclosed you will have those under the Contract for the moving Army. It appears pretty evident to me, that the Contractors for the latter have availed themselves of Mr Sands's knowledge and Experience, to reject every thing in the new

[3] The draft is in the writing of William Stephens Smith.

One, that did not immediately tend to his ease and emolument in the old one; and which like every thing else of the kind, that is not attended with mutual convenience, must effect its own reformation or destruction. [For it cannot be expected, that an Army, which has suffered every species of hardship and distress, that could arise from want of pay, deficiencies in their rations, and (till now) want of Cloathing, will submit, *contentedly,* to a measure which is not warranted by the Usage and customs of any other Army, merely because it is convenient and beneficial to the Contractors.] Every Man must know and Mr. Sands acknowledges it, that issuing to a Regiment at one Draft, does not give to each Man the Ration which is prescribed for him by the Contract; and to compel the Officers who may wish to corn a little Beef or, by way of change, to furnish their Tables with Poultry, or the smaller kinds of Meat, or who may sometimes be from camp or Quarters, and at other Times wish to entertain a friend, to take their Allowance in the same draft, and at the same time with the Men, whether their necessities call for more or less; or forfeit it, is not only unusual, but extremely hard and disagreeable to them; and will, if continued, be productive of serious Consequences; not only from *their disquietudes,* but the Jealousies which will prevail among the *Men,* who, with or without cause, will suspect that the Officers not only take their *full Allowance,* but will have it of the *choicest pieces,* leaving them to share the *deficiency* in that which is more *indifferent.* Besides, as the Contractors seem to think themselves under no *legal* Obligation or controul to fulfill their Contract, and are determined to encounter no Expence which they can possibly avoid, I may be thwarted by and by in my Disposition of the Troops; because, by increasing their Clerks, it will add to their Expence. These Considerations, and the incessant Complaints

which I am obliged to hear, and which engages a large portion of my Time, induces me to urge again, that the person, who is to be the Arbiter of them may come forward without delay.

I have not made these observations from a disinclination to support this Contract, or any other System by which the public interest can be promoted; and I should do injustice to the Officers of this Army, was I not to declare, that as far as my oppertunities have gone (and I have conversed freely on the subject from the General to the Ensign) they seem equally well disposed to carry it into execution; but they can see no reason why the Contractors should pocket the benefits which flow from their distresses.

[If the Officers could receive their pay, or even their subsistence regularly, more especially, if they could, as I am told is the Custom with the British Service, have always a month of the latter in advance, it is possible they would renounce both Sands and his Issues; but having none of the former, and with difficulty come at the latter, it is both inconvenient and mortifying to them to be tyed up as they are, when it does not appear that the public interest is advanced by it; but admitting it is so in a small degree, we may spin the thread of Oeconomy 'till it breaks. Minds soured by distresses are easily rankled; as a specimen of it, the privates of the Connecticut Line were the other day upon the eve of a general Mutiny; the vigilance of the Officers discovered it a few hours before they were to parade, and the ring leaders have been tryed and executed; besides this, desertions are more prevalent than ever; by the last Returns a greater number went off than ever did in the same space before, and tho' I know how much you have laboured for the means of paying the Army, and how inapplicable the remark is to you, 'till you are furnished with these, I cannot help adding, that it is very difficult if not impracticable to convince Military Men

whose interests, feelings and wants are continually goading them, that people holding Civil Officers are better intitled to receive the wages of service punctually than they are. I mention these things, my Dear Sir, not so much because I think it in your power to afford redress, as because I think you should be acquainted with the temper that prevails.]

I might have mentioned too in a more proper place, that while Mr. Sands was saving fifty or an hundred pounds in the establishment of his Issues, the public have expended, from the information I receive, at least 4000 pair of shoes and 1000 blanketts extraordinary in transporting, two or three miles over rugged roads, the provision from these places on men's shoulders; however I do not blame Mr. Sands more for this, than the Officer who permitted it.

May 25.

I had written the foregoing part of this Letter before I received the inclosed complaints, from which it appears that the Officers do not agree in sentiment with me in receiving their subsistence in money and purchasing their own provisions;[4] but placg the matter as they do upon the footing of Right, their Observation shews that without their concurrence, the difficulties cannot be compounded in that way.

Upon the whole matter, that the Army may not appear to be forming complaints without pointing to a remedy,[5] I have

[4] At this point in the draft the following is crossed out: "their observation will perhaps apply to the moving Army, but in Garrisons and fixed posts, I still hold to my opinion because in such situations, markets may be established which would afford full and cheap supplies."

[5] At this point in the draft the following is crossed out: "I have inclosed, for your consideration the general outlines of a System of Issues, which appear to me to be equitable and satisfactory; should this be adopted, it will or will not, according to the terms of your present Contract, cause an additional expence to the public in carrying it into effect; but will not this expence be better incurred, than to injure the Army in any part of their dues? or to hazard an increase of uneasiness, Jealousy and distrust, which has already arisen to an alarming point. For myself, I am very sorry to observe to you that some parts of Mr. Sands's Conduct has shaken my Confidence in his Integrity and Regard for the public good."

prepared the general Outlines of a System of Issues, which if adopted, would in my Opinion, be equitable and satisfactory. This I intended to have sent to you by this Conveyance, but, to save Trouble and Delay, have concluded it will be best to take the Sentiments of Mr Sands and some of the most sensible and judicious Officers upon it; that all parties *here* may be agreed previous to communicating it for your Approbation. Altho Mr Sands has been repeatedly urged to furnish the stipulated Deposits for West point, yet that important post is now almost without a Barrel of salted provisions; by which means it is in a most alarmg Situation, not being able, were the Enemy to make a sudden Attempt upon it, to hold a siege of three Days.] Add to this Omission, the whole Army have been without Meat of any kind, for three or four Days past. I am at a Loss to account for these Neglects. I can only tell you the serious truth, and ask what Remedy is provided in such Cases? how is Mr Sands to be compelled to perform his Duty? and where is the compulsory power lodged?

I fear you will think this Letter very tedious; but the Subject required much to be said. I have mentioned to the Sectry at War, this Communication, and have desired him to assist you in its Consideration. I hope, that on Consultation, you will afford us speedy Relief, as I know not to what Extremities the present Uneasiness may push us. I am &c.[6]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburgh, May 26, 1782.

Dear Sir: I have received your Letter of the 25th containing the Dispatches from Sir Guy Carleton, and the other Papers mentioned therein; I return those belonging to the British

[6]The draft is in the writing of Jonathan Trumbull, jr., and David Cobb. The portions in brackets were ciphered.

Officers on Parole at Dobbs Ferry, who may be permitted to go into the Enemy's Lines.

In future you will be pleased in the first instance to grant Flags to all such Persons as shall have Passports for the purpose from Congress, the Secretary at War, or the Executive of any of the States; all other applications are to be referred to me.

Colonel Putnam may send a Serjt. to Massachusetts as requested, but his expence is not to be defrayed by the Public.

Mr. Aaron Olmsted (who goes down the River by this conveyance) has permission to proceed with a Flag to the Enemy's Lines to enquire for and obtain the release of his brother who is on board a prison ship at New York; it rests with the Enemy to suffer him to go in, or not.

Yours of this day, and the German Deserter have just arrived. I am etc.[7] [MS. H. S.]

To COLONEL MATTHIAS OGDEN

Head Quarters, May 27, 1782.

Sir: I requested Colo Smith [8] to reply to yours of Yesterdays Date, by the Return of Lieut. Rhea.[9] I cannot see into the Necessity for the Removal of the party under Major Hay,[10] for the purpose mentioned, for if you have been able to keep up the Communication hitherto without his Knowledge, it surely can be carried through with the same Address, until brought to the last Stage, when I think he may be of Service. The very act of removing them will give suspicion. Should Mr. ———[11] be apprehended, I would recommend that you treat him with every Civility in your power consistent with his security, and that you

[7] In the writing of David Humphreys.
[8] Lieut. Col. William Stephens Smith.
[9] Lieut. Jonathan Rhea, of the Second New Jersey Regiment. He served to November, 1783.
[10] Maj. Samuel Hayes(?), of the New Jersey Militia.
[11] Pierre de Peyster, loyalist of Essex County, N. J.

remove him immediately to the Jersey Huts, forward a particular State of the Circumstances, with Copies of the original papers to His Excellency Govr. Livingston, and as ———— is a Citizen, and a subject of the State over which he presides, take his further Orders respecting him. If it should be, to subject him to a Trial by Law-martial, let him be sent to Major Genl. Heath, with all the Papers and proofs necessary to it.

With respect to the other matter, should it turn out agreeably to your Expectations, the sooner you retire to the Hutts the better. Lodge the prisoners in a place of Safety and forward to me the earliest Intelligence of your Success, and the Number of prisoners, the Circumstances attending them and the Enterprise; when the necessary steps will be immediately taken for their further Security.

The sooner you bring this matter to a Close the more agreeable it will be to me, and I have great Reason to believe the more advantageous to the public at large. I am &c.[12]

To COMTE DE ROCHAMBEAU

Head Quarters, May 28, 1782.

Sir: I have the Honor of your Letter of the 13th of this Mo.

Since the Information I conveyed to your Excellency by the Baron Closen, the Amusement of peace held out by our Enemies has been much augmented by the Arrival of Sir Guy Carleton in N York, who announces himself as Commander in Chief in America, with powers of Conciliation to these States. These Ideas, pleasg as their first prospect might have been, are now I believe, beginning to be generally viewed in their proper

[12] The draft is in the writing of Hodijah Baylies.

On May 27 William Stephens Smith wrote to Postmaster General Ebenezer Hazard, in reply to Hazard's query, that Washington did not consider Kakiat, N. Y., a safe place for the mails to remain over one night, "the risk being evidently too great as it is considerably advanced of any post that we occupy in that Part of the Country." The draft of Smith's letter is in the *Washington Papers*.

Colours; as merely delusory and vain, and I hope will not be attended with such Consequences as the Enemy seem to flatter themselves with.

The Alliance Frigate you will hear is safe arrived in N London; a Cutter also from france, in 25 Days passage, is in at Salem; her Dispatches are gone to Congress; you will probably know their Contents as early as I shall.

Our Accounts of the Action in the W Indies between the two fleets remain very uncertain and vague. From repeated publications in N York, compared with those collected from other parts, I confess I form too many Reasons to fear, that the Matter has not passed so favorably to our friend the Count de Grasse as you seem to imagine; a little Time will disclose the whole to us, and I sincerely hope it may dispel my Apprehensions. I am &c.[13]

To PRESIDENT JOHN DICKINSON

Head Quarters, Newburgh, May 28, 1782.

Sir: In reply to your Excellencys favor of the 15th Inst. I have to observe, that considering the several important circumstances which have occurred in public affairs and the uncertainty of the operations of the Campaign; I should not think it advisable that the Recruits from your state should march to join the Southern Army, until further Orders. In the mean time the number ought to be augmented as much as possible, and the preparations such as that they could move at a Moment's warning.

Should it be more convenient for supplies, to have your recruits attached to those of Pennsylvania or Maryland at the nearest Rendevous in either State, I shall have no objection to it. With great respect etc.[14]

[13] The draft is in the writing of Jonathan Trumbull, jr.
[14] The draft is in the writing of David Humphreys.

To THE PRESIDENT OF CONGRESS

Head Quarters, May 28, 1782.

Sir: That Congress may be possessed of such Information as I have been able to obtain from New York at this critical Moment, I do myself the Honor to transmit to your Excellency, the inclosed Extracts from sundry Letters of Intelligence which have been lately handed to me from different Quarters.[15] With great Respect etc.[16]

To THE SECRETARY AT WAR

Head Quarters, May 28, 1782.

Dear Sir: I mentioned to you my Intention to submit the Complaints of the Officers against the Contract for the movg Army to the Superintendt of Finance; they now go to him by this Conveyance. I refer you to his Letter for a Disclosure of their Subject, and the very serious and alarming Circumstances which we are now bro't to from that Quarter; serious indeed they are, and of such Importance as to demand your most earnest and instant Attention. I beg you to consult with Mr Morris and give every Aid in your Power to the Means of obtaing that Relief which is expected by the Army. The Officers placing the matter of their Subsistence on the footg of a Contract with Government, of equal Solemnity with that of their pay, seeing no prospect of the latter, and findg the former, which is now almost the only means of their Support, not only placed upon very disadvantageous grounds, but the mode of obtaing it subject to continual Changes without their Knowledge or Consent, are exceedingly hurt and alarmed at their Situation. This

[15] These extracts of intelligence are filed with Washington's letter in the *Papers of the Continental Congress*.

[16] In the writing of Jonathan Trumbull, jr.

Consideration Sir, with a persuasion (which some how has taken deep Root in their Minds) that they are the most neglected and injured part of Community, which affects them the more, while they are conscious of havg been obliged, not only to fight the common Battles of their Country, but often to place themselves between it and the soldiery to suppress Mutiny and Discontents from *their* Want of Pay and Provisions; makes it necessary that such Measures should be adopted as will give them no Occasion to conjecture, that they are curtailed in any part of their Pay. I am exceedgly impressed with the Necessity of Oeconomizing the public Monies; but we must not spin this Thread so fine as to break it, nor should this Oeconomy seem to bear hardest upon those who have already experienced a double Share of all the Distresses which have been felt.

You will notice particularly the Anxiety I must be in from a Want of the necessary Deposits for the Garrison of West point. This is an alarmg Circumstance, particularly at this Time, when we know not the Intentions of the Enemy; but from too many Circumstances, and the Appearance of Intelligence, we have reason to fear the worst from them. Were they to know out Situation, and make a sudden Attempt, what is there to save this important post.

Inclosed is Sir Guy Carleton's Reply to my Request respecting the So Carolina Inhabitants. The facility and ease with which (passing over every other part of my Letter to him) he has made a full Compliance to the Requisition, strikes me in a very disagreeable point of Light. I transmit it to you, to be presented to Congress, that such Measures may be taken thereon as they shall think proper to direct; for my own part, I confess, I am not disposed to seek favors of, or Submit to an Idea of being under Obligation to Sir Guy, at this Moment of *concilitary War.*

To your Question respectg the Hospital in Virginia, conveyed in your Letter of the 16th, I reply, that I had no Idea of an Establishment there upon any extensive plan. The Recruits collecting in that State, with those from Maryland, Delaware and Pennsylvania, which are destined for the Southn Army, I considered to be the Subjects of that Establishment; the Numbers of these Troops you are as good a Judge of as I am, from whence you will form your Estimates of the Quantity of Stores and Medicine that will be wanted. I fear Doctr Tiltons Ideas are naturally formed upon too extravagant a Scale.

Captn. Montour,[17] when he arrives, will be attended to; I care not how long he is kept off my Hands; I expect he will be very troublesome. I am &c.[18]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburgh, May 28, 1782.

Dear Sir: In Addition to the Instruction I gave in my Letter of the 26th. respecting Flags, I think necessary to observe, that no persons ought to be permitted to pass or repass under Cover of Flags, except those whose Names are properly inserted: as it is reported, that some people having availed themselves of such Opportunities, have formerly come into Jersey without any legal permission.

By the Contract for the Moving Army, all Stores and other Apparatus made Use of by our Issuing Commissaries were to be furnished to the Contractors, they being responsible that the public Property shall not be wasted or destroyed.

I am taking every possible Measure for replenishing our Magazines.

[17] Capt. John Montour, an Indian chief, the son of the half-breed, Andrew Montour.
[18] The draft is in the writing of Jonathan Trumbull, jr.

Mr. Sands, I know, is very much occupied, at present, in making preparations for the Celebration of the Birth of the Dauphin. I hope as soon as that is over, he will settle with you the Commutation of Articles to your Satisfaction. If he will not do it agreeably to the principles of the Contract, I beg you to inform me of it, and believe that I am etc.

P.S. Your Letter of the 23d. respecting the Forage consumed in the County of West Chester shall be attended to, as soon as I can get Leisure for the purpose.

As a further regulation of Flags, I wish the following may be adhered to, and considered as a standing Order.

No Person coming from the Enemy's Lines with a flag, is to be permitted to come within our Lines, or proceed into the Country, without having first obtained permission in writing for the purpose, from the Executive of the State to which he or she wishes to go. No Persons coming from the Enemy on business of a Military Nature are to be suffered to advance within the out Post, unless liberty shall be first obtained from the General Commandg the Army at the time.[19] [MS. H. S.]

To MAJOR GENERAL SAMUEL HOLDEN PARSONS

Head Quarters, Newburgh, May 28, 1782.

Dear Sir: In the conversation I had with you, when I saw you last at Head Quarters, you appeared to be so unalterably fixed in the determination of leaving the Army at all events, that I had in my own mind made the arrangements accordingly, and to prove that I was not precipitate in my judgment, the whole Army had formed the same opinion of your intentions from your repeated and unequivocal declarations on the

[19] In the writing of Hodijah Baylies; the P. S. is in that of Baylies and David Humphreys.

subject. Since which I have received your favor of the 17th of May, in which you solicit leave of absence until called for; happy in your further services, I should with pleasure grant you any indulgence, I judged consistent with my duty, which I cannot suppose will permit me to give leave of absence for an unlimited time; if you persist in that idea, your application must be to the Supreme Authority of the Continent, who I believe are alone competent to the gratification of your wishes.

If your request had been for permission to continue absent a month or Six Weeks or the establishment of your health; I should have consented to it, but, as I observed before, I do not think myself warranted in doing it, on the footing you have placed the matter. I am &c.[20]

GENERAL ORDERS

Head Quarters, Newburgh, Tuesday, May 28, 1782.

Parole ———. Countersigns ———.

The Commander in Chief, happy in the Opportunity of announcing to the Army the birth of a Dauphin of France and desirous of giving a General Occasion of testifying the satisfaction which he is convinced will pervade the breast of every American Officer and soldier on the communication of an event so highly interesting to a Monarch and Nation who have given us such distinguishing proofs of their attachment, is pleased to order a fue de joye on thursday next and requests the Company of all the General, Regimental and Staff Officers of the Army (who are not Necessarily detained by duty) at West Point on that day at four OClock. Commanding Officers of Brigades and Corps will receive particular instructions for their Government.

[20] The draft is in the writing of David Humphreys.

GENERAL ORDERS

Head Quarters, Newburgh, Wednesday, May 29, 1782.

Parole ———. Countersigns ———.

The troops are to be supplied with an extra Jill of rum pr. man Tomorrow.

AFTER ORDERS

At a brigade General Court Martial held in the York Line the 22d Instant whereof Lieutenant Colonel Vandyke is president, Captain Leonard Bleeker, of the first York regiment, was Tried, being charged with ungentleman-like behavior, in striking and abusing Ensign Woodruff,[21] on the evening of the fourth of March last.

The Court having considered the Evidences and the Defence are of Opinion that Captain Bleeker is guilty of ungentleman-like behavior and sentence him to be reprimanded in Brigade Orders.

The General dissolves the Court, disapproves the sentence and orders Captain Bleeker to be released from his Arrest.

To GOVERNOR JONATHAN TRUMBULL

Head Quarters, May 29, 1782.

Sir: I have been honored with your two Letters of the 21st and 23d of this Month.

Your Excellency's reply to Deans Letter[22] I read with great Satisfaction, and this pleasure was hightened by findg. that it contained not only your own Sentiments, but also conveys the Sense of the Legislative Body of your State. From a variety of circumstances I view the present, as the most critical moment,

[21] Ensign Ephraim Woodruff, of the Fourth New York Regiment. He served to June, 1783, and ranked as a second lieutenant from October, 1781.

[22] A copy of Trumbull's letter to Silas Deane, May 15, 1782, is in the *Washington Papers*.

that we have almost ever experienced throughout the present contest.

I am very sorry not to have it in my power to comply with your Excellency's Request for a small Invalid Guard for New Gate prison. I assure you Sir! that, in present circumstances and with present prospects, I must estimate every Invalid (capable of any Service) as a good Man, and keep them on constant Duty. With great Regard etc.[23]

To THE SUPERINTENDENT OF FINANCE

Head Quarters, May 29, 1782.

Sir: Colo Varick being in great Distress for his Money, and fearing from an Expression of yours of 23d ulto, that its Delay is owing to his not havg sent forward a Receipt, has left one with me for the Sum of 800 Dollars, which I now transmit and beg that he may receive the Money pr the first safe Conveyance. I am &c.[24]

To THE SECRETARY AT WAR

Head Quarters, Newburgh, May 29, 1782.

Dear Sir: I have the honor to inclose the resignation of John Lawrence Esqr, Judge Advocate Genl for the determination of Congress thereon, and to solicit, upon its being accepted a successor may be appointed to him. I have further to inform you that Mr. Edwards[25] a Lieut. in the 9th Mass. Regt. is now the only Depy Judge Advocate with the Army, of whose capacity

[23] In the writing of Jonathan Trumbull, jr. From the original in the Connecticut State Library.

[24] The draft is in the writing of Jonathan Trumbull, jr.

[25] Lieut. Thomas Edwards. Lieut. Col. James Innis, of the Fifteenth Virginia Regiment, was appointed Judge Advocate of the Continental Army, July 9, 1782, and served to September. Edwards was then appointed Judge Advocate in October, 1782; retained his rank in the line; was transferred to the Second Massachusetts Regiment in January, 1783; served to November, 1783.

to fill the Office as a Principal, I am not competent to determine; being very little acquainted with him; but I beg, when the matter is submitted to Congress, the dignity and importance of the Office may be duly explained. I have the honor etc.[26]

To COLONEL BENJAMIN TUPPER

Head Quarters, May 29, 1782.

Sir: I think it best under present Circumstances that you should remain in your present Command, untill the Arrival of Colo Reed, or the Removal of the Troops from Albany. I wish it was in my power to comply with your request, for an additional Allowance of Rations, so long as you remain. I think it perfectly reasonable, but a pointed Resolve of Congress absolutely forbids it. It is equally out of my Ability to furnish you any Money for the Completion of the Block House at Fort plain.[27]

I approve your Conduct in forwardg the N York State Levies to the upper posts as fast as possible and collectg the Continental Troops together as much as you can; that they may be reinstated in their proper Discipline, and be ready for any compact Service. I am &c.[28]

GENERAL ORDERS

Head Quarters, Newburgh, Thursday, May 30, 1782.

Parole ———. Countersigns ———.

The celebration of the birth of the Dauphin of France which was to have taken place this day is postponed till tomorrow the 31st. Instant.

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[26] The draft is in the writing of David Humphreys.

[27] Now the town of Oquago, on the Mohawk River, in Montgomery County, N. Y.

[28] The draft is in the writing of Jonathan Trumbull, jr.

AFTER ORDERS

The tenth Massachusetts Regiment is to go into tents as soon as possible on the most convenient ground, near Nellsons Point.

GENERAL ORDERS

Head Quarters, Newburgh, Saturday, June 1, 1782.

Parole ———. Countersigns ———.

The inspection and Musters of the different Corps composing this Army will take place for the Month of May on the following days viz. The New York Brigade on the 4th. June; The Jersey Brigade and the first Massachusetts on the 6th; The York Artillery and Corps at Burlington on the 9th; The Rhode Island regiment and Corps at Phila, the two New Hampshire regiments and the tenth Massachusetts regiment on the 12th; The Second Massachusetts Brigade on the 8th; The third Massachusetts Brigade on the 10th; The first Connecticut Brigade on the 14th; The Second Connecticut Brigade on the 16th; The Massachusetts Artillery on the 18th and The Corps of Invalids for the Months they have not been Mustered on the 23d. Instant.

The Officers in making out their Rolls will be careful not to insert in the Column of Mustered any men but those who will actually be present and the Adjutant will make out the proof from that Column alone. It is expected the Books of the different regiments by that inspection will be compleatly Opened and the different entries made as were directed last year.

Rolls scratched and blotted in future will not be received and the different returns directed to be made are to be handed to the Inspector, on the parade signed and ready for examination.

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, June 2, 1782.

Sir: I have to reply to your three favors of 29th May and 1st Instant.

The private Soldiers paroled by Sir Guy Carleton, must be ordered to join and do Duty in their Regiments. I have given Directions to the Comry of Prisoners to inform the British Comry. that such will be my Orders in all such Cases, and that they will be credited in their Account.

Capt Ray is directed to send in the Officers Servants, and measures will be taken to direct those Matters in future; a Deputy Comry. of Prisoners will reside in the Neighbourhood of Dobb's.

The Soldier Gilbert may be accepted to join his Regiment.

The Judge Advocates Resignation is inclosed to the Secty at War to be laid before Congress. And I have desired that a New Appointment may be made as soon as possible.

One Regiment of the 2d Brigade of Massachusetts will be Ordered to encamp. I am &c.[29] [MS. H. S.]

GENERAL ORDERS

Head Quarters, Newburg, Monday, June 3, 1782.

Parole ———. Countersigns ———.

One regiment of the second Massachusetts Brigade is to Encamp on some convenient ground on the West side the river, to make room in the Barracks. Two Artificers from each Regiment are to be employed under the direction of the Brigade Quarter Masters in repairing the regimental Waggons.

[29] In the writing of Jonathan Trumbull, jr.

On June 3 Trumbull wrote to John Ruddock, deputy commissary of military stores at Fishkill, who pleaded the Commander in Chief's orders for having detained 1,000 stands of arms directed to be sent to Philadelphia. "The Commander in Chief, not

To THE SECRETARY AT WAR

June 4, 1782.

Dear Sir: General Hazen in the same Letter which acquaints me of the Designation of Capt Asgill of the Guards for the purpose of Retaliation, also informs that there are two persons in our power at York and Winchester, who come under my first Description. I have therefore immediately given him the inclosed Orders, which you will see, and which I beg you will cause to be conveyed to him.

If Lieut. Turner[30] or any other Officer in Consequence of these Orders should be sent on to Phila. you will be pleased to direct that he be conveyed under proper Escort to the Jersey Line, which is the place destined for the Execution.[31]

To BRIGADIER GENERAL MOSES HAZEN

Head Quarters, June 4, 1782.

Sir: I have received your favr of the 27th May and am much concerned to find that Capt Asgill has been sent on notwithstandg the Information which you had received of there being two unconditional Prisoners of War in our possession. I much fear that the Enemy, knowg our Delicacy respectg the propriety of Retaliating upon a Capitulation Officer in any Case, and being acquainted that unconditional prisoners are within our power, will put an unfavorable Construction upon this Instance of our Conduct. At least, under present Circumstances, Capt Asgills Application to Sir Guy Carleton will, I fear, be productive of remonstrance and Recrimination only, which

recollecting any such Order, will be glad to be informed from you immediately, the particular Order under which you suppose yourself to be justified in this Detention." The draft of Trumbull's letter is in the *Washington Papers*.

[30] Lieut. Thompkins Hilgrove Turner, of the Third Foot Guards, British Army.

[31] The draft is in the writing of Jonathan Trumbull, jr.

may possibly tend to place the Subject upon a disadvantageous footg.[32]

To remedy therefore as soon as possible this Mistake, you will be pleased immediately to Order that Lieut Turner, the Officer you mention to be confined in York Goal, or any Other prisoner who falls within my Description may be conveyed on to Phila. under the same Regulations and Directions as were heretofore given, that he may take the place of Capt Asgill.

In the mean Time, least any Misinformation respectg Mr Turner, may have reached you, which might Occasion further Mistake and Delay, Capt. Asgill will be Detained untill I can learn a Certainty of Lieut Turners or some other Officers answerg our purpose; and as this Detention will leave the Young Gentleman now with us in a very disagreeable State of Anxiety and Suspence, I must Desire that you will be pleased to use every Means in your power, to make the greatest Dispatch in the Execution of this Order. I am &c.[33]

To BRIGADIER GENERAL ELIAS DAYTON

Head Quarters, June 4, 1782.

Sir: I am just informed by the Sectry at War that Capt Asgill of the British Guards, the unfortunate Officer who is destined to

[32] Hazen had written (May 27) that when the lots were drawn, in the presence of Major Gordon and all the British captains, "the unfortunate Lot had fallen on the Honourable Capt. Charles Asgill, of the Guards; a young Gentleman seventeen Years of Age; a most amiable Character; the only Son of Sir Charles Asgill; Baronet; Heir to an extensive Fortune; an honourable Title; and of course he has great Interest in the British Court and Armies. The British Officers are highly enraged at the Conduct of Sir Henry Clinton; they have solicited my leave to send an Officer to New-York on this Occasion, or that I would intercede with the Minister of War to grant it. Being fully convinced that no Inconvenience could possibly arise to our Cause from this Indulgence, but on the contrary, that good Policy and Humanity dictates the Measure, I was pleased at the Application, and with Cheerfulness have recommended to the Minister of War to grant the Honourable Capt. Ludlow, Son to the Earl of Ludlow, leave to carry the Representations of those unfortunate Officers, who openly declare to have been deserted by their General, and given up to suffer for the Sins of the Guilty." Hazen's letter is in the *Washington Papers*.

[33] The draft is in the writing of Jonathan Trumbull, jr.

be the unhappy Victim to atone for the Death of Capt Huddy, was arrived in Philadelphia, and would set off very soon for the Jersey Line, the place assigned for his Execution. He will probably arrive as soon as this will reach you, and will be attended by Capt Ludlow, his friend, whom he wishes to be admitted to go into N York, with an Address to Sir Guy Carleton in his Behalf.

You will therefore give permission to Capt Ludlow to go, by the way of Dobb's Ferry into N York, with such Representation as Capt Asgill shall please to make to Sir Guy.

At the same Time I would wish you to intimate to the Gentlemen, that altho I am deeply affected with the unhappy Fate to which Capt Asgill is subjected, yet that it will be to no purpose for them to make any representation to Sir Guy Carleton which may serve to draw on a Discussion of the present point of Retaliation; that in the Stage to which the Matter has been suffered to run, all Argumentation on the Subject is entirely precluded on my part, that my Resolutions have been grounded on so mature Deliberation, that they must remain unalterably fixed. You will also inform the Gentlemen, that while my Duty calls me to make this Decisive Determination, Humanity dictates a Fear for the unfortunate Offering, and inclines me to say that I most devoutly Wish his Life may be saved; this happy event may be attained; but it must be effected by the British Commander in Chief. He knows the Alternative which will accomplish it, and he knows that this Alternative only can avert the dire Extremity from the Innocent, and that in this Way alone the Manes of the Murdered Capt Huddy will be best appeased.[34]

[34] At this point in the draft the following is crossed off: "I wish you also to inform Capt. Asgill, with all the tenderness possible, that no Address from him or any of his Friends can be admitted from them directly to me; that I can attend to no Application but such as shall be made by the British Commander in Chief."

In the Mean Time while this is doing, I must beg that you will be pleased to treat Capt Asgill with every tender Attention and politeness (consistent with his present Situation) which his Rank, Fortune and Connection, together with his Unfortunate State, demand. I am &c.[35]

To COLONEL JOHN CRANE

Newburgh, June 4, 1782.

Sir: I should have taken an Opportunity of expressing in public Orders how much I was satisfied with the Gentlemen who were so kind as to assist in preparing for the celebration of the birth of the Dauphin, but the matter being not altogether of a Military nature, I thought it best to communicate my sentiments in this manner.

You will therefore be pleased to accept my thanks for your exertions on that occasion [and present the same to the Officers of your Regt. who assisted you on that day], and believe me, Sir etc.[36]

To CHEVALIER DE VILLEFRANCHE

Newburgh, June 4, 1782.

Sir: I take this early Opportunity of Expressing to you the high Satisfaction I reced at the taste [*sic*] Elegance displayed in the preparations you made for the Celebration of the birth of the Dauphin; the very great part you had in contributing to the pleasures of that day deserves my warmest acknowledgement and I beg you to receive this Testimony of my thanks for your exertions on that occasion. I am &c.[37]

[35] The draft is in the writing of Jonathan Trumbull, jr.

[36] The draft is in the writing of Benjamin Walker. The same letter, excepting the phrase in brackets, was sent to Col. Hugh Hughes, Col. Henry Emanuel Lutterloh, and Comfort Sands.

[37] The draft is in the writing of Benjamin Walker.

GENERAL ORDERS

Head Quarters, Newburgh, Tuesday, June 4, 1782.

Parole ———. Countersigns ———.

The detachment on the Lines is to be releived by entire Companies of Light Infantry in rotation; all other Guards and Detachments (except the Water Guard) are to be furnished by Corps as far as the nature of the Service will possibly admit.

All Guards and Detachments are to draw Provisions with their Regiments sufficient to serve them during their Tour if possible; when Provisions will not keep the length of time they are detached for, or when there is a probability of their being victualed at any other Post; they are to carry with them certificates shewing the time they have been victualed to with their Regiments, and carry back to their regiments Certificates shewing for what time they have been victualed during their absence.

GENERAL ORDERS

Head Quarters, Newburgh, Wednesday, June 5, 1782.

Parole ———. Countersigns ———.

By the last inspection Returns the Commander in Chief with pleasure Observes the Army is in a much better state than it was in the preceding Month. The Regiments of the New York Line, the first regiment of Jersey commanded by Colonel Ogden, the third Regiment of Artillery Commanded by Colonel Crane and the seventh Regiment of Massachusetts Commanded by Lieutenant Colonel Commandant Brooks, are reported to be in excellent order. The General hopes any little irregularities which have crept into service may be immediately remedied; and that the few regimts. which are reported to be deficient in attention, Method of Discipline will by unremitted exertions

prevent their being Noticed in an unfavorable manner at the succeeding inspection, and in consequence thereof held up to view in a disagreeable point of light.

At a General Court Martial held at Lancaster the 23d. May 1782 by order of Brigadier General Hazen, Lieutenant Colonel North[38] president, Captain VanHeer[39] was tried for "unofficer-like behavior, for immoderately beating Owen McLaughlin, a soldier under Captain Selens[40] immediate Command without sufficient cause to Justify such correction.

The Court after considering the Evidence for and against Capt. Van Heer, of the Light Dragoons, are of Opinion that he is guilty of the latter part of the charge "Beating Owen MGlochlin, a soldier under Captain Selens immediate Command, without a sufficient cause to justify such correction, being a breach of Art. 5th. section 18th. of the rules and Articles of War and sentence him to be reprimanded in General Orders.

The Court acquit him of the preceding part of the charge.

The General approves the sentence and at the same time he expresses his dissatisfaction at any instance of conduct where violence is made use of without sufficient cause, he is sensible that the laudable motive of preserving the public property from abuse which seems to have influenced Captain VanHeer is a palleation for the Deed.

Captain VanHeer is released from his Arrest.

At a general Court Martial held at the Barracks in Philadelphia May 18 1782 by order of the Honorable Major General Lincoln, Minister of War, Major Olney president, were tried William Robinson aleas Taylor for "repeated desertion and reinlisting.

[38] Lieut. Col. William North.
[39] Capt. Bartholomew von Heer.
[40] Capt. Anthony Selin.

The Court are of Opinion the prisoner is guilty of the charges against him in breach of Art. first section the 6th of the Art. of War and do sentence him to suffer Death, two thirds of the Court agreeing thereto.

Corporal James Bruce, of the Artillery Artificers, for "exciting Mutiny in said Corps.

The Court are of Opinion the prisoner is not Guilty of the charge and do acquit him.

Serjeant Samuel Castleton of the 6th Pennsylvania regimt. for "re inlisting John Pierce who he knew was inlisted some Weeks before, and for Neglect of duty.

The Court are of Opinion the prisoner did not know that John Pierce was inlisted before by Colonel Humpton, therefore do acquit him of the first charge, but are of Opinion that he is guilty of disobedience of Orders and do sentence him to be reduced to the Ranks.

The Commander in Chief approves the foregoing sentences.

At a General Court Martial held at Philadelphia by order of the Honorable Major General Lincoln, Minister of War,—May 21st. 82 Major Olney President, was tried Sharp OGamie, soldier in the Rhode Island regt., charged with "Quitting his Post, Deserting unto the Enemy and entring into their service.

The Court are of Opinion the prisoner is Guilty of the charges alledged against him, which they are of Opinion are a breach of the 12 Article of the 13th. section of the Articles of War and do sentence him to suffer Death, two thirds of the Court agreeing thereto.

The Commander in Chief approves the Opinion of the Court.

At the same Court were tried James Marrines, soldier in the Delaware regiment, charged with "Desertion, Joining the Enemy and passing by a wrong Name.

The Court are of opinion that the prisoner has been Guilty of a breach of the first Article of the 6 section of the Articles of War. The Court in consideration of the Youth of the Prisoner at the time of his Desertion only sentence him One Hundred Lashes.

Michael Moran, charged by Lieutenant Dungan[41] with "Taking of Money from the recruiting Serjeant to inlist and declaring himself a British Deserter by which means he got clear, but afterwards inlisted in Colonel Moylans Regiment and taking the Oath as prescribed in the Pennsylvania inlistments, thereby imposing on Recruiting Parties, and committing perjury." The Court are of Opinion the prisoner is Guilty of a breach of the 5. Art. of the 18 section of the Art. of War and sentence him One Hundred Lashes.

James Haines a Recruit of the Pennsylvania Line for "Desertion." The Court are of Opinion the prisoner has been Guilty of a breach of the first Art. of the 6. section of the Articles of War and sentence him One Hundred Lashes.

The Commander in Chief approves the foregoing sentences.

*To CHEVALIER DE LA LUZERNE

Head Quarters, June 5, 1782.

Sir: I have the honor of conveying to your Excellency, the inclosed address of the Officers of the American Army under my immediate Command, on the auspicious Birth of a Dauphin.

Happy in this oppertunity of presenting to you this United testimony of respect and veneration for your royal Master, I pray you to believe, that I enjoy the highest satisfaction in having such an occasion of manifesting to your Excellency the very particular pleasure I feel in every event which affects

[41] Lieut. Thomas Dungan, of the Sixth Pennsylvania Regiment. He was transferred to the Second Pennsylvania Regiment in January, 1783, and served to June, 1783.

the happiness of his Most Christian Majesty, especially in one which is so interesting and important to his domestic felicity, and so pleasing to his people. I have the honor etc.[42]

*To CHEVALIER DE LA LUZERNE

THE ADDRESS OF THE COMMANDER IN CHIEF; THE GENERALS AND OTHER OFFICERS OF THE AMERICAN ARMY ON THE BANKS OF THE HUDSON

June 5, 1782.

Sir: Amid the general expression of Joy, on the auspicious birth of a Dauphin, permit us, the Officers of the American Army, to offer more than a silent approbation of these Sentiments and Congratulations, which have been presented by Congress, the representative body and sovereign power of the United States, through you, to our great and illustrious Ally, on this happy event.

There are circumstances, Sir, which render that, which in a degree is pleasing to all, peculiarly so to some; The harmony and friendship which subsisted between the Troops of your August Sovereign and us, during the last Campaign (when the only contention lay in endeavours to exceed each other in acts of emulation, and brotherly kindness), give us this preeminence.

The Blood freely offered on both sides, and which was spilt in the same Trench, and often mixed in a common stream for the support of those rights which are interesting to the feelings of humanity, and the previledges of freemen; is such a cement to the friendship of the two Nations, as nothing, but a departure from the principles of the Union, which Heaven avert! can ever dissolve.

[42] From the original in the *Paris Archives, Aff. Etrang., Mems. et Docs., E. U.*, vol. 6.

Not to participate then, in the general satisfaction occasioned by an event, which adds to the felicity of a Monarch who may be viewed in the same moment as the father of his own Nation and protector of the liberties of others; and which contributes so much to the happiness of a People, to whom we are Allied in interest and Affection, would be an argument of great insensibility on our part.

That divine Providence may shed its choicest blessings upon the King of France and his Royal Consorts, and favor them with a long, happy and glorious reign. that the Dauphin may live to inherit the virtues, and the Crown of his illustrious Progenitors; that he may reign over the hearts of a happy and generous people; and be among the happiest in his Kingdom; is our sincere and fervent wish. In behalf of the Army.[43]

*To SECRETARY FOR FOREIGN AFFAIRS

Newburgh, June 5, 1782.

Dear Sir: I was honoured with your favor of the 27th. Ulto. by the last Post. The extract from the Marqs. la Fayettes letter (which you were so obliging as to inclose) is in substance, the same as the one he has written to me himself; on some points he is more particular in his letter to you, on others mine is more full; a copy of which, if I had a Cypher established with you, I should have sent; but am affraid to entrust it without, either to the Mail, or a common Express.

What may be the real intention of the present Ministry, respecting America, or what effect the Naval action in the

[43] The letter was signed by Washington. The address sent, in an unidentified writing and signed by Washington, is in the *Paris Archives, Aff. Etrang., Mems. et Docs., E. U.*, vol. 6. Washington inclosed this address to the Secretary at War in a brief note (June 5) suggesting that, if the Secretary concurred "and wish to pay a particular Compliment to the Minister on this Occasion, you will be pleased to present it with Your own Hand." This draft is in the *Washington Papers*.

West Indies may have upon the intended operations of this year; and consequently upon the conduct of the Powers at War, is difficult to say. there is however one plain line chalked out for us; by pursuing which, we cannot err; and it gives me pleasure to hear that Congress are inculcating this by a deputation from their own Body.[44] If Rodney's[45] victory is as decisive and important as the New York Gazettes endeavour to make it; and the New Ministry should not be too much buoyed up by it; there is no measure so likely to produce a speedy termination of the *War,* as vigorous preparations for meeting the enemy in full expectation of it if they are only playing the insidious game. This will make them think of Peace in good earnest.

We had the pleasure of Mrs. Livingston's and Mrs. Montgomery's Companies a few days last Week; they left us early on Sunday Morning in perfect health.

Mrs. Washington presents her best respects to yourself and Lady, to which please to add those of Dr Sir etc.

To REAR ADMIRAL ROBERT DIGBY

Head Quarters, June 5, 1782.

Sir: By a Parole granted to two Gentlemen, Messrs. Osborn and Bowen, I perceive that your Excellency has granted them permission to come to me with a Representation of the Sufferings of the American naval Prisoners at N York.

As I have no Agency in naval Matters, this Application to me is made on mistaken Grounds. But Curiosity leading me

[44] Livingston had written (May 27): ". . . on the danger which may attend a form'd belief that peace is at hand. This delusion should be combatted. . . . Congress have, upon this principle, directed two delegates to go to each of the States, in order to urge them to timely and vigourous exertions." Livingston's letter is in the *Washington Papers.*

[45] Vice Admiral George Brydges Rodney, Commander in Chief, British Navy in the West Indies.

to enquire into the Nature and Cause of their Sufferings, I am informed that the principal Complaint is, that of their being crouded, especially at this Season, in great Numbers on Board of foul and Infectious prison Ships, where Disease and Death are almost inevitable. This Circumstance, I am persuaded needs only to be mentioned to your Excellency, to obtain that Redress which is in your power *only* to afford, and which Humanity so Strongly prompts.

If the fortune of War Sir! has thrown a Number of these miserable people into your Hands, I am certain your Excellency's feelings for fellow Men must induce you to proportion the Ships (if they must be confined on Board Ships) to their Accommodation and Comfort, and not, by crouding them together in a few, bring on Disorders which consign them by half Dozens a Day to the Grave.

The Soldiers of His Britannic Majesty, prisoners with us, were they (which might be the Case) to be equally crouded together into close and confined prisons, at this Season, would be exposed to equal Losses and Misery. I am &c.[46]

To THE SECRETARY AT WAR

Head Quarters, June 5, 1782.

Sir: I have made Enquiry respecting the 1000 Arms you complain of being Detained. No Orders of mine are or can be produced to justify this Detention. I can't absolutely ascertain the true Reasons, but believe the failure has happened thro Mr Ruddock, the D Comy of Military Stores, who says he had conceived an Idea that 1000 Stands only were Ordered, and that Number are gone on.

[46] The draft is in the writing of Jonathan Trumbull, jr.

I forward to you a Representation which has this Day been handed to me from our naval Prisoners in N York, which was presented by two Gentlemen, Prisoners themselves, who were permitted to come out on parole With this Application. Considering myself to have no Authority in naval Matters, I have told these Gentlemen that their Representation should be conveyed to you. I have however, from a Commiseration of their Suffering, taken upon me to write to Admiral Digby on the Subject: a Copy of which Letter is inclosed for your Observation. "The Complaints of these unhappy, miserable, people have been so often reiterated to us, that I feel myself exceedgly interested for their Relief.[47]

Will you take this Matter into your most serious Consideration? and procure some speedy and decisive Measure to be taken whereby the Sufferings at least may be abated, if an Exchange cannot be effected. I much fear that the Departments of naval prisoners is not under the best Regulation, especially in the different States and in Europe, by which means many Prisoners captured on our part, are lost and not applied to the purpose of Exchange. I am &c.

The Clothier Genl should be directed to send on the Frocks for the Army as soon as possible, or the Season for them will be lapsed.[48]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburg, June 5, 1782.

Dear Sir: Your favor of yesterday has been duly received. A Deputy Commy of Prisoners for the post at Dobb's Ferry,

[47] On June 5 Washington wrote to Abraham Skinner, ordering him to proceed to New York "and examine into the State and accommodation of our prisoners, and report on your return." This draft is in the *Washington Papers*.

[48] The draft is in the writing of Jonathan Trumbull, jr.

has been already ordered, who will, I hope, liberate you from those constant applications from that post; and as Capt. Pray's duty must be encreased at that post, I wish you to grant him what additional Boats and Men you may think necessary.

I must depend upon your constant attention to the recruiting service of Masstts, and highly approve your sending Lt. Colo. Popkin to relieve Majr. Pettengail at Boston, and let Colo. Popkin be informed, that I wish him to write to the several Mustering Officers in that State, that I expect their constant attention to their duty, and that they may depend on being bro't to a Court Martial for any deficiencies.

Mr. Gardner[49] may pass to the Enemy's Lines with the prisoner he has with him.

The Recruits that have been mustered out by the Baron, must remain where they are for the present. I am etc.[50]

[MS. H. S.]

To GOUVERNEUR MORRIS

Head Quarters, Newburgh, June 5, 1782.

General Washington's compliments to Mr. Governr. Morris.

If Mr. Morris shou'd have postponed his report, respecting the business entrusted to him by Mrs. Lloyd, 'till information could be had from hence, of the conveyance of her packet to Mr. White; the General prays him to present his compliments with it, and assure her, that the packet went by a returng. Flag in less than 24 hours after it came to his hands.

The General entreats Mr. Morris to add further, that nothing will give him more pleasure than to be honored with the commands of that Lady, whenever she shall find occasion to write to England. Her letters by Post, under cover to the General,

[49] Thomas Gardner (Gardiner), of Cornwall, Conn.
[50] In the writing of David Cobb.

will be more certain of a safe passage to New York, than by any other conveyance; and he shall be happy in becoming the means of facilitating her wishes.[51]

To CAPTAIN-LIEUTENANT CALEB BREWSTER[52]

Head Quarters, June 5, 1782.

Sir: His Excellency commands me to acknowledge the Rect of the Dispatches addressed to John Bolton Esqr.[53] by the bearer of this: and also to request that you will keep up the communication, and give him regularly every information in your power. I am etc.[54]

To THE SECRETARY AT WAR

Newburgh, June 5, 1782.

My dear Sir: Colo. Hazen's sending an officer under the capitulation of York Town for the purpose of retaliation, has distressed me exceedingly. Will you be so good as to give me your opinion of the propriety of doing this upon Capt. Asgill should we be driven to it for want of an unconditional prisoner.

Presuming that this matter has been a subject of much conversation, pray, with your own, let me know the opinions of the most sensible of those with whom you have conversed.

Congress by their resolve have unanimously approved of my determination to retaliate; the Army have advised it, and the Country look for it. But how far it is justifiable upon an officer

[51] The text is from the "Letter Book" record.

[52] Of the Second Connecticut Artillery. He was wounded in December, 1782, in an encounter with British armed boats on Long Island Sound. Captain-Lieutenant Brewster received and conveyed the intelligence from the Culpers to Major Tallmadge.

[53] John Bolton was the alias of Maj. Benjamin Tallmadge, under which he corresponded with Samuel Culper, sr. and jr.

[54] The draft is in the writing of and is signed "D Humphrys Aide de Camp."

under the faith of a capitulation, if none other can be had, is the question?

Hazen sending Capt. Asgill on for this purpose makes the matter more distressing, as the whole business will have the appearance of a farce, if some person is not sacrificed to the manes of poor Huddy, which will be the case, if an unconditional prisoner can not be found, and Asgill escapes.

I write to you in exceeding great haste, but beg your sentiments may be transmitted as soon as possible (by express) as I may be forced to a decision in the course of a few days. I am etc.[55]

To THE PRESIDENT OF CONGRESS

Head Quarters, June 6, 1782.

Sir: I have the Honor to transmit to your Excellency, for the Observation of Congress, the inclosed Correspondence, which passed between Sir Guy Carleton and myself, in Consequence of the Resolution of Congress, conveyed to me by the Minister of War, refusing a passport for Mr. Morgan to go to Philadelphia with Dispatches from the British Commander in Chief.

No mention of his dispatches has been made since mine of the 21st of May, nor anything passed between us since Sir Guy's

[55] The text is from the *Historical Magazine*, 1869, p. 397. Ford prints this letter, without giving his source, with minor verbal variations from the above.

On June 5 Washington wrote a brief note to General Irvine, at Fort Pitt, that he had no objection to a leave of absence being granted to Lieutenant Colonel Wuibert. This letter is in the Pennsylvania Historical Society.

On this same day (June 5) David Humphreys wrote to Captain Pray to furnish a flag to convey Captain Aborn and Doctor [Joseph] Bowen [of Providence, R. I.] "within the British Lines, at the Time their Paroles shall expire." Humphrey's letter is in the *Washington Papers*.

On this same day (June 5), Washington also wrote a brief note to the Secretary at War that Ensign [Reuben] Johnson had been taken, after deserting from his arrest, "occasioned by his ungentleman like conduct" toward Lincoln. Washington asked to be informed what Lincoln knew about the affair. This draft is in the *Washington Papers*. (See Washington's letter to Lieut. Col. Jeremiah Olney, June 12, 1782, *post*.)

Letter to me of the 23d. It may be in the power of Congress to account for this silence better than I can. With great Esteem etc.[56]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, June 6, 1782.

Dear General: I have recd. yours of Yesterday. I am sorry to hear that Desertion still prevails. To render this practice less frequent, I wish you would order the Officers commanding at the different Rendezvous in Massachusetts to give Directions to those Officers, who are charged with the Conducting of the Recruits to Camp, in Case of Desertion on the March, to return to them immediately discriptive Lists of the Deserters, that they may take Measures for their Apprehension.

It gives me much pain to hear that the Distresses of the Army, from the Want of provisions, yet continue, although I have done every Thing in my power to prevent them. I am just informed by Colo. Stewart that Beef has arrived, which will afford you Relief for the present; and I hope that in future you will not experience any want of that Article. I have the Honor etc.[57]

To THE SUPERINTENDENT OF FINANCE

Head Quarters, June 8, 1782.

Sir: Inclosed is the System of Issues[58] which I mentioned in my last. It has been submitted to some principal Officers of the Army, is agreeable to them, and in the Absence of Mr Sands has been fully and freely consented to by Colo Chas. Stuart in

[56] In the writing of Jonathan Trumbull, jr. The letter was read in Congress on June 13 and referred to John Morin Scott, Elias Boudinot, and David Ramsay.

[57] In the writing of David Cobb.

[58] See Washington's letter to the Superintendent of Finance, May 24, 1782, *ante*.

the Name and on Behalf of all the Contractors. It remains only to obtain your Approbation; if that is given, and the System takes place, I hope most of the present Uneasiness on the Score of provisions will subside. All the Difficulties complained of in a former Letter to the Sectry at War, are agreed by Mr Sands "to be Submitted to such equitable mode of Decision as I shall direct;" to Effect this Determination, I propose to lay the whole Matters of Complaint before three judicious indifferent Men, chosen agreable to the Mode proposed in the Contract, and shall endeavour to have the Matter closed as soon as possible.

I am obliged to Mention again to you the Want of Beef to the Army, this Failure has again experienced since my last Writing to you. Mr Sands being now in Phila. you will have an Opportunity of full Conversation with him on the Subject. No Magazines of Salted provisions have yet been placed in the Deposits of West point. I am &c.[59]

GENERAL ORDERS

Head Quarters, Newburgh, Saturday, June 8, 1782.

Parole ———. Countersigns ———.

The General was highly pleased with the appearance of the first Massachusetts Brigade yesterday under Arms, and was very well satisfied with their Manœuvering: the firing might have been better, and he fears the Locks or flints of the Musketts were in bad order, as many of them missed fire; the Officers commanding the Light Infantry should impress upon the men the necessity of taking deliberate Aim whenever they fire and see that they do it when it is in their power. It is the effect of the shot not the report of the Gun that can discomfort the Enemy and if a bad habit is acquired at exercise it will prevail in real Action and so vice versa.

[59] The draft is in the writing of Jonathan Trumbull, jr.

To HEZEKIAH WETMORE[60]

Head Quarters, Newburgh, June 8, 1782.

Sir: I have it in charge from His Excellency the Commander in Chief, to direct that you should remove your Office to West Point, as soon as room can be made in the Barracks for your accommodation, by the Officers going into Tents. A principal object is to prevent detachments and reduce the number of Guards as much as possible. A Single Sentinel from the Main Guard at West Point will then answer all the purposes for which six Men or More will otherwise be required. I am etc.[61]

GENERAL ORDERS

Head Quarters, Newburgh, Sunday, June 9, 1782.

Parole ———. Countersigns ———.

Some doubts having arisen respecting the nature and extent of Major General Heaths Command since the order of the 4th of April last, the General thinks proper to direct that all the troops in the State of New York, at and below Fish Kill, are to be considered as under the immediate orders of him or the senior Major General present, till the Army is drawn together and the order of Battle formed.

To THE SECRETARY AT WAR

Head Quarters, June 9, 1782.

Sir: I take the liberty to inclose the within representation of Colonel Nichola for your directions, as it relates to Orders issued from the War Office.

[60] Deputy Paymaster General.

[61] The draft is in the writing of and is signed "D. Humphrys, A.D.C."

Some of the Prisoners who came on with your Passports to go into New York seem to Expect that they are to carry in their Horses; to prevent any discussion of this matter when they arrive, I would wish it to be mentioned in the Passports whether they are to carry their Horses with them or not; at the same time I would observe that if permissions of that nature are granted indiscriminately, the best Horses in the Country will be carried to the Enemy.

Major Villefrance has represented to me the absolute want he is in of proper Instruments for executing his duty as Engineer, having lost all those he has hitherto used which were his own property; there is a set to be had at Albany for about Fifteen Guineas, and I could wish he might be enabled to purchase them.

The Musters and Inspections for the Months of March and April will come to you by this Conveyance. I have also inclosed to the Superintendt. of Finance, the general plan for a System of Issues which has gained the Approbation of the Army and Contractors. I wish you will exert your Influence to have it bro't into effect, as speedily as possible, that the uneasiness which we have so alarmingly experienced, may subside. I am &c.[62]

To SIR GUY CARLETON

Head Quarters, June 10, 1782.

Sir: In compliance with my promise made to Lieut General Robertson in my Letter to him of the 4th of May, Enquiry has been made into the circumstances of the Detention of Hetfield and Bagely. The result of which, I do myself the Honor to transmit to your Excellency, and is contained in the inclosed Copy of a Report made by Chief Justice Brearly of the State of

[62] The draft is in the writing of Benjamin Walker and Jonathan Trumbull, jr.

N Jersey, to His Excellency Governor Livingston,[63] explaing the Reasons which have induced the civil power of that State to apprehend and detain those persons; an Extract of the Governors Letter to me, also accompanies this Report.

As these persons have not been taken, nor are holden under the Military power, it is unnecessary for me to make any Observations on the subject. My general Opinion however on Cases of this nature, is contained in my Letter of the aforementioned Date, to General Robinson, an Extract of which, so far as relates to this Business, is inclosed for your Excellency's Observance. I am &c.[64]

GENERAL ORDERS

Head Quarters, Newburgh, Monday, June 10, 1782.

Parole ———. Countersigns ———.

The General was as well satisfied with the appearance and Manoevring of the 2d Brigade of Massachusetts as he was Two days before at the review of the first Brigade. He does not think he ever saw men in any service make a more respectable and soldier-like figure than the Light Company of the eighth Regiment did under Arms.

At a General Court Martial held at Carlisle the 16th of May 1782, Colonel Richard Butler president, Thomas Glenn, soldier in the first Pennsylvania Regiment, charged with repeated Desertions was tried and found guilty in breach of the first and third Art. 6th. section of the rules and Articles of War and sentenced to suffer *Death,* (more than two thirds of the Court agreeing thereto).

The Commander in Chief approves the sentence of the Court.

[63] A copy of Brearley's letter to Gov. William Livingston, May 13, 1782, is in the *Washington Papers.*

[64] The draft is in the writing of Jonathan Trumbull, jr.

To PIERRE DE PEYSTER

Head Quarters, June 10, 1782.

Sir: I have received your Letter of this Date. Not having been furnished by Colo Dayton with Copies of what has passed between him and the Civil power of your State respectg your Case, I shall suspend all proceedings with you, untill I shall receive those papers, and have already written to Colo Dayton for them. In the mean Time, you will be indulged to remain in your present Situation. I am etc.[65]

To THE SECRETARY AT WAR

Head Quarters, June 10, 1782.

Sir: I had the honor to address you the 4th Instant covering a Letter to Genl Hazen ordering him to send on a certain Prisoner now in York Goal. I have reasons for countermanding the order and wish to stop it if possible before it gets to General Hazen; but should this not arrive in time for that I must beg you to send an Express to Genl Hazen directing him not to carry the order into execution or even to make it public 'till he hears further from me. I am &c.[66]

To JOHN MORIN SCOTT

Head Quarters, June 10, 1782.

Sir: In reply to your Favor of the 4th. I inclose you, Copies of the Resolutions of the House of Representatives of the State of So Carolina, the consequent Resolve of Congress thereon, and my Letter to Sir Guy Carleton on the Subject of the So Carolina Inhabitants.

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[65] The draft is in the writing of Jonathan Trumbull, jr.
[66] The draft is in the writing of Benjamin Walker.

These Resolutions not appearing to me to be sufficiently explicit, as to the Manner in which those persons had been removed from Charlestown, I was obliged, in order to put the Matter on a tolerable footing, to extend the Idea, by saying that they were sent off by Orders of the British Commanders; without knowg the particular Reasons the Enemy would assign for this Treatment, or being acquainted with the real Circumstances under which the Inhabitants left their State. But supposing that it would be alledged, that they were sent off as persons factious, disaffected and dangerous to the British Government, they would think the request of a very extraordinary Nature, and would consider their Compliance in the Light of conferring a high Obligation, especially by bearing the Expence of their Transportation. On this Ground I considered the Request as asking a Favor; and in that View of the Subject, I made the Observation you allude to. And I think, from Sir Guys Letter, and his Ease of Compliance, I was not mistaken in my Ideas of the Light in which the British Commander has viewed this Requisition. I have the Honor etc.[67]

To BRIGADIER GENERAL ELIAS DAYTON

Head Quarters, June 10, 1782.

Sir: It is extremely painful to me to have continually to remark on the irregular manner in which business seems to be conducted at your Post.

In my Letter of the 27th. May I directed Colo. Ogden to transmit Governor Livingston a particular State of the Circumstances respecting Mr De Peyster and take his Orders and that if the Governor directed him to be delivered to the Military he

[67] In the writing of Jonathan Trumbull, jr. From a photostat of the letter sent kindly furnished by Charles S. McKnight, of Niagara Falls, N. Y.

should be sent with all the Papers to Genl Heath. Instead of this being complied with, the Prisoner is sent to Head Quarters, without even a Line from any body, or a Single paper respecting the matter; whilst the Prisoner alledges that the Civil Authority has taken the matter up, and did actually Issue an Habeus Corpus which Colo Ogden refused to pay any regard to. I must request Sir that you would immediately transmit me Copies of all the papers that have passed between you and the Civil authority of the State on this occasion, with every other information you have. In a matter of so serious a nature as the Trial of a Citizen for his Life, it is certainly necessary that we should be well assured of the legality of the proceedings, and till this is the case nothing can be done in the affair. I am &c.[68]

To COLONEL RICHARD BUTLER

Head Quarters, June 10, 1782.

Sir: I have received your Favor of the 1st. with the several proceedgs of the Court Martial. In Consequence I inclose to you Copy of the Genl Orders approvg the Sentence of the Court against Thomas Glen, with a Warrant for his Execution. Accompanying these, you will find the petition of Glens Father in behalf of his unhappy Son. I feel much for the poor old Man, but the Son seems to have been an Adept in Villainy. However in Consideration of the parents Distress and Character, I submit to the Determination of yourself and the principal Officers at the post, the expediency and necessity of carrying the Warrant into Execution or not. Upon your Decision therefore, takg all Circumstances into Consideration, I consent that Glen may be pardoned or executed, as you shall think proper to direct.

[68] The draft is in the writing of Benjamin Walker.

The Trial of Capt McCurdy[69] I have not had Time fully to consider; at first reading however it appears singular in all its parts; I shall take time to give it a more attentive perusal and inform you my Opinion. I am etc.

P. S. I inclose to you the Depositions in Case of Reed;[70] it is impossible for me to decide upon it; you will call a Court of Enquiry to determine upon his inlistment, And if it appears he has a Right to his Discharge you will give it him. I send you a Blank for that purpose.

Serjeant Andw Nelson,[71] I wish you to prevail upon him, to remain in Service if possible; your Recommendation of him as a good Soldier is very pleasing, and forms a Reason for me to wish him to be retained, but if no persuasions will prevail upon him you will give him a Discharge which I have inclosed.

The prisoner John Glover, who is recommended by the Court, I consent should be pardoned.[72]

To BRIGADIER GENERAL ELIAS DAYTON

Head Quarters, June 11, 1782.

Sir: After Writing to you Yesterday, your Letter of the 8th. came to me, a Letter from Justice Symes, remandg Mr Depeyster to be delivered over to the civil power, accompanied yours.

I more and more lament the Conductg of this Matter; your knowing that a habeas Corpus was taken out to rescue the prisoner from the Military, ought at least to have Occasioned your delaying to send on Mr De peyster, until you had obtained my further Instructions; some fatality seems to attend this Business, and I fear is such, as will prevent any thing being

[69] Capt. William McCurdy, of the First Pennsylvania Regiment. He served to June, 1783.

[70] Thomas Reed, private in the Fifth Pennsylvania Regiment.

[71] Sergt. Andrew Nelson, of the Fifth Pennsylvania Regiment.

[72] The draft is in the writing of Jonathan Trumbull, jr.

effected for the Detection of Mr De peyster in his Correspondence. On Enquiry I can learn nothing of Cadmus, unless it is that he has been so loosely kept, that he is suffered to be taken off, by which means your principal proof will be defeated.

Mr. De peyster is now delivered over to the Civil Authority of the State that he may be bro't to his Trial upon a civil process. It rests therefore upon you and Colo Ogden to use your utmost Industry and Vigilance to obtain and produce every Evidence in Support of the Charge that can possibly be come at. This I shall rely upon.[73] The paper said to have been taken from the prisoner, and which you sent to Majr Genl. Heath, is now returned to you by Ensn Hopper.[74]

You will inform me as early as possible the present Situation of Capt Asgill, the prisoner destined for Retaliation, and what prospect he has of relief from his Application to Sir Guy Carleton, which I have been informed he has made through his Friend Capt Ludlow. I have heard nothing yet from N York in Consequence of this Application. His fate will be suspended 'till I can be informed the Decision of Sir Guy; But I am impatient least this should be unreasonably delayed, the Enemy ought to have learnt before this, that my Resolutions are not to be trifled with. I am &c.

P. S. I am informed that Capt. Asgill is at Chatham, without Guard, and under no constraint. This if true is certainly wrong. I wish to have the young Gentleman treated with all the Tenderness possible, consistent with his present Situation. But untill his Fate is determined, he must be considered as a close prisoner and be kept in the greatest Security. I request therefore that

[73] At this point the following is crossed off in the draft: "This will become your and Colo Ogdens particular Duty in support of your own Honors and Characters; since, if nothing can be adduced in Support of the Charges against Mr Depeyster, your Apprehension of him, will appear at least in a most ridiculous Light, if nothing more."

[74] Ensign John Hopper, of the Second New Jersey Regiment. He served to November, 1783.

he be sent immediately to the Jersey Line, where he is to be kept close prisoner, in perfect Security 'till further Orders.[75]

To CAPTAIN HENRY SEWALL[76]

Head Quarters, Newburgh, June 11, 1782.

Dear Sir: In answer to your favor of the 9th. (which is just come to hand) I am directed by the Commander in Chief to inform you, that when it was proposed Lt Col Popkin should go to Boston to superintend the recruiting Service, the General conceived it would be at the same time a matter of private convenience as well as of public utility; that as he does not know that he is authorized to promise any public Money for the expences of the Recruiting Service, and not having given any pecuniary encouragement to the other Officers employed in any branch of that duty, he cannot think himself at liberty to do it in the present instance; if therefore Col Popkin does not choose to go without looking to the Public for Payment of his extra expences, another Officer may be appointed for the purpose.

The General further observes that he believes it will be impossible for the Quarter Master to furnish a bat-horse, both on account of the scarcity of public Horses, and the appropriation of those on hand to other Services.

As to the size of Recruits, His Excellency is of opinion that none ought to be accepted under five feet two inches high; and that Boys of that stature, whose limbs have not spread and who not acquired strength and firmness to perform the exercises and bear the fatigue of service are by no means proper subjects to make Soldiers of, therefore much must be left to the judgment

[75] The draft is in the writing of Jonathan Trumbull, jr.

[76] Of the Second Massachusetts Regiment and aide-de-camp to Maj. Gen. William Heath. He served as such to June, 1783.

and discretion of the Mustering Officer, to whom it is His Excellencys wish that Gen Heath will give such further Instructions as he may think proper. I am etc.

P. S. Pray what directions did you give respecting sendg back the Dragoon who comes with a flag to Croton.[77]

To BRIGADIER GENERAL ELIAS DAYTON

Head Quarters, Newburgh, June 11, 1782.

Sir: I am informed by casual report that a Captain[78] of the 57th Regt British, lately taken by Captain Hyler[79] at the Light House, is on his parole at Elizabeth Town, or in that vicinity, as it is improper he should remain at any place so near the Lines, and as I am informed he is wounded in such a manner as to be incapable of being removed to a distance, I wish you to pay immediate attention to the Matter and to have him without loss of time taken into safe custody, conveyed to the Jersey Line or some other place of security, and guarded in such a manner as that he cannot possibly make his escape, at the same time that you must be answerable for his safe keeping you will be pleased to have him treated with every species of tenderness and delicacy his circumstances may require, and his situation will admit. I am &c.[80]

To COLONEL GOOSE VAN SCHAICK

Head Quarters, June 12, 1782.

Sir: Your Letter to me of April last was transmitted to the War Office to be laid before Congress for their Order.

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[77] The draft is in the writing of and the letter sent was signed by David Humphreys.

[78] Capt. John Schaak, of the Fifty-seventh Foot, British Army. He had not been wounded.

[79] Capt. John Hyler (Huyler), of the Bergen County (N. J.) militia.

[80] The draft is in the writing of Jonathan Trumbull, jr.

Inclosed is the Report of the Secretary at War thereon, from whence it appears that no promotion has taken place, nor Liberty granted for your retiring.

It not being in my power to permit your Absence any longer, I have to request that you immediately return to your Duty in the Army, and take Command of your Regiment. I am &c.[81]

GENERAL ORDERS

Head Quarters, Newburgh, Wednesday, June 12, 1782.

Parole ———. Countersigns ———.

The Board of Officers assembled pursuant to the orders of the 12th. of May last to examine into and report on the principles of the late Arrangemt. of the subalterns of the Connecticut Line, have made the following Report, which the Commander in Chief approves of. He therefore directs that the officers who constituted that board proceed as soon as conveniently may be to a final determination of the relative rank of the subalterns of the Connecticut Line agreeably to the principles laid down in their late report; to facilitate this business it is ordered that a return wherein the dates of the several Commissions by which the subalterns of that line have served shall be specified in the proper hand writing of each individual and which the Commanding Officer of the Line shall certify to be correct, be without delay made to Major General Lord Sterling. The Adjutant General will furnish the form of the return.

The board of Officers appointed to examine into the principles of the late Arrangement of the subalterns in the Connecticut Line do report it as their Opinion that the principles followed by the board of Feld Officers in forming that Arrangement are widely different from those pointed out as the basis of such settlement by the board of General Officers convened

[81] The draft is in the writing of Jonathan Trumbull, jr.

near Dobb's ferry in August last, and which they apprehend the said field Officers mistook the meaning of; as they have disregarded the distinction between first and second Lieutenants, intended to have been kept up by the Arrangement of June 1778 and which the General Officers were of Opinion should not be departed from. this Board are therefore of Opinion that the said late Arrangement ought not to be conclusive but that it ought to be revised and made consonant to the principles laid down by the General Officers in August last, by which this Board do not conceive it was intended that the rank of Second Lieutenants continued by Brevet should Operate after promotion to a Lieutenancy, except in cases where a second Lieutenant and Ensign have been promoted on the same day.

Altho the third Brigade of Massachusetts which was yesterday reviewed did not in all respects make so good an Appearance under Arms as the other Brigades have done yet the Commander in Chief is disposed to give every favorable allowance on account of the circumstances. He does not impute it as a fault to the third regiment that the men are not supplied with Hatts without which it is impossible for a regiment to make a truly Military figure, he attributes want of exactness in performing some of the Manoevres of the Brigade to the badness of their position in the Mountains which has prevented their exercising except in detail, he remarked however with pleasure that the Platoon and Batallion firings were performed with more regularity than in the other regiments, and he flatters himself he shall have Occasion at a future review to give the testimony of applause to which the unceasing efforts of both Officers and men shall justly entitle them.

The honorable the Congress have been pleased to promote Brigadier General Knox of Artillery to the rank of Major

General in the Army, to take rank from the fifteenth of November last.

Captain Lillie[82] of the third regiment of Artillery is appointed Aid de Camp to Major General Knox, Captain Shaw,[83] his former Aid de Camp, is continued as such, they are to be obeyed accordingly. Lieutenant Hunt[84] by mistake appointed to the 9th will join and do duty in the 4th. Massachusetts regiment.

To LIEUTENANT COLONEL JEREMIAH OLNEY

Head Quarters, June 12, 1782.

Sir: It appears that Mr. Johnson[85] made an irregular application to resign and his Commission not being accepted he was guilty of indecent behaviour towards the Secretary at War and finally broke his Arrest and went off. The Secretary at War is willing to pass over his Conduct towards him, but such a wilful disobedience and Contempt of Orders as Mr. Johnson has been guilty of, besides breaking his Arrest cannot be excused.

If Mr. Johnson is Sensible of the Impropriety of his Conduct and will immediately Join his Regiment to answer the Charges against him you may release him from his Confinement but if you think that he will persist in his contempt of Orders and will not Join you may send him under Guard to his Regiment in Camp.[86] I am &c.[87]

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[82] Capt. John Lillie. He was aide to Maj. Gen. Henry Knox to the close of the war.

[83] Capt. Samuel Shaw, of the Third Continental Artillery. Heitman gives his appointment as aide to Knox as of June, 1782.

[84] Lieut. Ephraim Hunt. He served to the close of the war.

[85] Ensign Reuben Johnson.

[86] Washington had written briefly to Lieutenant Colonel Olney (June 5) that he had written General Lincoln on the subject of Ensign Johnson; "so soon as I receive the necessary information from him, proper directions shall be sent to you." This draft is in the *Washington Papers*.

[87] The draft is in the writing of Benjamin Walker.

To CAPTAIN JOHN BARRY[88]

Head Quarters, June 12, 1782.

Sir: I have to acknowledge your favour of the 30th of May.

It has ever been my Wish to mitigate in every respect as far as in my power the disagreeable Circumstances attendg a State of War; this general Disposition, as well as a Desire to oblige you, would operate strongly in favor of a Compliance with your Request in behalf of your Friend; but unhappily some Disputes between the Contendg Parties, at present prevents all Exchange; but upon principles inadmissible on our part.

The Case of Capt Austine has been committed to the Comy of Prisoners, who, I am informed has written to Gov Trumbull on the Subject.

I have no Advice of the french fleet mentioned by you, but what is contained in your Letter; no Notice of their Arrival in the Chesapeak has reached me. I am &c.[89]

To ABRAHAM SKINNER

Head Quarters, Newburgh, June 12, 1782.

Sir: I am directed to authorize you to exchange forty of the Prisoners now in our possession at Fish-kill or West Point for an equal number of our Men now in confinement in the Sugar House at New York, provided there are so many subjects of Military exchange at that place of which you will be well assured before you consent to the exchange, for even the bare assertion of Men languishing for liberation from captivity may perhaps not be sufficient to prove they were actually taken in arms.

[88] Of the Continental Navy, then commanding the Continental frigate *Alliance*.
[89] The draft is in the writing of Jonathan Trumbull, jr.

As this exchange can not be considered as a Matter of right you will be pleased to put it upon the footing of affording more convenient accommodation for our Naval Prisoners, to whom the General is anxious every possible attention should be paid.

You will apply to the Adjt General for an escort, to the Qr Master for the Means of conveying them by Water, to Dobbs Ferry, and you will be particularly careful to prevent any imposition or deception from the Enemy, by retaining the Prisoners in your hands until the exchange can be fairly carried into execution.[90] I am etc.[91]

To BRIGADIER GENERAL JACOB BAYLEY

Head Quarters, June 13, 1782.

Sir: I have received your favr. of the 30th of May pr Capt Bayley, with other Letters and papers which accompanied it.

The Information given by Capt Johnson[92] is of a very serious Nature. The insidious Designs of the Enemy, I believe, are not to be doubted; but the Evil he mentions has not, I hope, reached the Minds of the people at large, however it may have influenced the Conduct of some Individuals.

In present Circumstances, I can afford no further Assistance than is already given; the Brigade of New Hampshire Troops,

[90] The Secretary at War had written to Washington (June 12): "The state of our naval prisoners is pitiable indeed, and ought to claim every attention. Their distresses are from several causes; to obviate them and if possible give perfect relief, is now the subject of the deliberations of Congress. The Matter has been sometime before them. They find many embarrassments in the Way of a system which will answer their wishes. Indeed until the several States will throw the whole matter into the same hands, under the direction of Congress, and our masters of vessels will, with more punctuality, bring in their prisoners, and until an Agent or Agents are appointed in Europe to receive and support the prisoners landed in the several ports, I see little prospect of matters becoming much better. Your Excellency is mistaken with respect to the power I have over marine prisoners; to safe keep is all the connexion I have with them." Lincoln's letter is in the *Washington Papers*.

[91] The draft is in the writing of and is signed: "D. Humphrys A. D. Camp."

[92] Capt. Thomas Johnson, of the Vermont Militia.

with one Regiment of the N York Levies, are now on the Western and Northern frontiers. Their duty will extend to keeping a watchful look out upon the Motions of the Enemy in that Quarter and on the Lakes. I can only advise you to attend very critically to the Movements of the Enemy on your Borders, and to the internal Machinations of evil Men and Emissaries who may be sent among you, or be contained in your own Bosoms. And to counteract them by every Means in your power; And at the same time to keep the Exertions of the people active and alert, and always prepared for speedy Action, in Case of an Appearance of the Enemy on your frontiers.

It is surprising to me, if the Enemy are establishing a post in force at Crown point, that I have not been informed of it from Albany. Colo Reid[93] who Commands there, in a Letter of the 8th June mentions nothing of it; And Colo Tupper in a Letter of the 30th May says "that the Enemy's Shipping were arrived at Crown point, but dont learn that they have any Troops with them."

Was it in my power to effect the Exchange of Capt Johnson, it would be very agreeable to me; but the Commissioners of the two contendg powers, who met at Elizabeth Town this Spring, to negotiate a general Exchange of prisoners (in which your people among others were to have been included) have unhappily seperated without being able to agree to any thing, by which Means my benevolent Intentions have been entirely frustrated, and all Exchanges at present are at an End. If any Mode can be pointed out by you, to attain Mr Johnson's wishes, in which I can be influencial, I shall be glad to afford every Assistance in my power, that may be consistent with my Duty.

[93] Lieut. Col. George Reid, of the New Hampshire Regiment. He served to November, 1783.

I wish you to be industrious to obtain every Intelligence you can, and to communicate whatever you shall think of Importance. I am &c.[94]

INSTRUCTIONS TO COLONEL JOHN GREATON

Head Quarters, Newburgh, June 14, 1782.

With your Regt. you are to relieve the Garrison's of the Posts at Dobb's and King's Ferries; those at the latter, viz. Stony and Verplanks points, are to be relieved by whole Companies, consisting, as nearly as may be, of the same number of Men which are now stationed there; with these you will leave a Field Officer; and proceed yourself with the remainder of the Regt. to the Post of Dobb's ferry, where you will relieve the Garrison of the Block House in such manner as you shall judge proper,[95] and encamp the rest of your Regt immediately under the cover of the Block House.

As the mode of doing Duty by Corps enables an Officer to have his Men constantly under his own eye, and to be responsible for their behaviour; I must recommend that you will be particularly attentive to the discipline and good Order of your Regt., that when it is impracticable to exercise and manœuvre the Men collectively, you will have them instructed and practised in the use of Arms by detail.

To keep up the reputation of the Corps, it will be essential to preserve the utmost regularity, to prevent any abuses of the persons or property of the Inhabitants, and to restrain the Soldiers from straggling, without permission, from their Quarters.

[94] The draft is in the writing of Jonathan Trumbull, jr.

[95] At this point the following is crossed off in the draft: "and if you cannot cover the rest of the Men conveniently in the neighbouring Buildings, I think it will be advisable for you to"

Every possible precaution should be made use of to prevent desertion; if it should begin to prevail, the Rolls must be called every hour in the day time, and the Quarters or Tents must be visited by an Officer or non-commissioned Officer, every Hour in the night; besides which patroles and small Scouts of trusty Men, should be frequently sent out, as well for the sake of apprehending Deserters, as to prevent surprise from the Enemy; For notwithstanding all the pacific expressions of the British, you are hereby strictly directed to make use of the utmost vigilance, and not put any confidence in their pretended plan of defensive War; for should there be an oppertunity of making a stroke at you, with a probability of success, you may depend upon it the Enemy would instantly seize the occasion.

As the post of Dobbs ferry is now the only avenue of intercourse with the Enemy, by Flags, and as there is great danger the same illicit practices may prevail there which have taken place at other posts of the same kind; a principle object of your Command is to prevent, absolutely, all kind of commerce or illegal communications with the Enemy.

All Flags from the Enemy are to be stopped at your out post, the dispatches there received from them, and the Flags sent back as soon as the business is performed; a Guard with an Officer or non-commissioned Officer should always, in the mean time, be kept on board.

No Military Character from the Enemy, is to be permitted to land, nor is any Citizen or private person to be suffered to come within our Lines, untill permission, in writing for that purpose, shall be obtained from the Executive of the State into which he or She is desirous of passing.

No passport is to be deemed sufficient for granting a Flag to pass to the Enemies Lines, but from Congress, the Secretary at War, the Executives of the States or Major Genl Heath; except you shall receive particular Instructions from me to the contrary.

Capt. Pray who has long commanded at that post, and who has acquitted himself, in that service with great reputation, is still to retain the command of the Water Guard; he will undoubtedly be able to give you very useful information respecting the state of the Country, the disposition and character of the individuals, and the sources of intelligence from the Enemy; I wish you on the other hand to give him every aid in your power for promoting the service, and if necessary, that you will furnish him with some oarsmen for the additional Boat or Boats he may be supplied with; these Men to remain on that duty only untill your Regt. shall be relieved.

On any emergency, for which particular directions cannot be given, you are to act agreeably to the best of your discretion.

You will be pleased to communicate to me immediately, every extraordinary occurrence, together with any intelligence particularly of the State, strength or movement of the Enemy, which you may obtain.

Upon your being relieved, you will deliver over these Instructions to the relieving Officer, as a standing Regulation for the direction of the Commandant of the beforementioned posts; and on your arrival in Camp, will make a general Report to me in writing, of your Command, noting the casualties and every other remarkable event within the sphere of your observation.[96]

To CAPTAIN THOMAS JOHNSON

Head Quarters, June 14, 1782.

Sir: I have received your favor pr Capt Baily, and thank you for the Information contained, and would beg you to continue your Communication whenever you shall collect any Intelligence you shall think of Importance.

[96] The draft is in the writing of David Cobb.

It would give me real pleasure to have it in my power to effect your Exchange; but some unhappy Circumstances have lately taken place, which for the present cut off all Exchange. If you can fall upon any Mode to accomplish your Wishes in which I can with propriety give you my Assistance, I shall be very glad to afford it. I am etc.[97]

To ABRAHAM SKINNER

Head Quarters, June 14, 1782.

Sir: His Excellency directs me to put the inclosed under Cover to you, and to inform that the passports of your Deputy will not be sufficient for Prisoners to go within the Enemy's Lines upon parole. But in the present Instance you can exchange the persons in Question on the Spot. I am &c.[98]

GENERAL ORDERS

Head Quarters, Newburgh, Friday, June 14, 1782.

Parole ———. Countersigns ———.

Great credit is due to the Officers and men of the tenth Massachusetts Regiment for their attention to the preservation of their cloathing, and for the Military appearance they made yesterday under Arms. The Light Company attracted the Generals particular Notice.

*To THE CONTRACTORS FOR THE MOVING ARMY

Head Quarters, Newburgh, June 15, 1782.

Gentn: Under the present prospect of the Campaign, and a full consideration of all Circumstances, I do, agreeably to the

[97] The draft is in the writing of Jonathan Trumbull, jr.

[98] The draft is in the writing of and the letter sent was signed by Jonathan Trumbull, jr.

powers vested in me by the Contract for the Moving Army, fix upon West point as a Magazine of Provision, and wish you to exert yourselves in laying them in accordingly, [(except the Salted Meat)][99] at that place.

I think it incumbent on me to advertise you, that your estimate of fourteen thousand Rations daily, I conceive to be inadequate to our certain wants; and may, eventually, be greatly short of the demand, if the Army should be encreased for offensive operations in this Quarter. I am etc.

To BRIGADIER GENERAL JEDIDIAH HUNTINGTON

Head Quarters, June 15, 1782.

Dr Sir: It was a very unlucky Circumstance which you mention in your Favor of the 10th June, and has taken place without any order from me, or Concurrence of mine.[1]

I am sorry however that the Assembly have taken such hasty Offence at the Measure, and have carried their Resentment so far as you inform. It could never be my Intention to call for, or Expectation to receive, other Men in the Room of those who

[99] The phrase in brackets has been added by Jonathan Trumbull, jr.

[1] "The Assembly resolved to issue Execution against the delinquent Classes for the Recruits not procured by the 20th. of this Month; since that Resolve the lowere House have taken great Offense that some Recruits who had been received by the Continental Mustering Officers (appointed for the Purpose here) and their Bounty paid, should be mustered out at Camp; it unluckily happened that one of them had served 3 Years to good Acceptance, others had served one or two Campaigns, wanted only an Inch or two of the Standard; the Indignation of the House has carried them so far as to suspend the Publication of the Act for levying Execution against the delinquent Classes, and to resolve that the Classes which have procured Men to the Acceptance of the Continental Mustering Officers in the State, shall be exempt from any Penalty, and that, in the future, the Sanction of the Colonels of Militia shall be an Exemption; the Governor will endeavour to prevent these Resolutions passing the upper house; he has his Fears, and wishes that the Men, who have been approved by the mustering Officers here, might be accepted, except where there has been some Imposition. The exact Height required by the Inspector General is now attended to, though I could wish, considering the Difficulty of geting Men, some Latitude was given to the Discretion of the mustering Officers."—*Huntington to Washington,* June 10, 1782. Huntington's letter is in the *Washington Papers.*

have been rejected after being passed by our own Mustering Officers; neither can any blame of deficiency fall upon the people or the Classes after having furnished Men to the Acceptance of the Muster Masters from the Army. I am sorry that the latter in many Instances have been so little attentive to their Duty, which I am sure, is by this Time, made very plain and explicit to them.

To remedy, as much as may be this unhappy Mistake, I think it may still be well, if it can be done, to send on the rejected Men again to Camp, [who are engaged for a suffct. length of time]: unless there may be some, who thro Imposition have been accepted, and are too notoriously insufficient; such I think will be but a Burthen upon the Army; others, altho they may be small, yet may be put to many Duties where they will render Service, and give us good Men to the field.

The Size that is fixed, is very small and it would seem almost impossible, that a person under that, could be by any Means competent to the Duties of a Soldier; the Instances, if any, must be very extraordinary. You will please therefore to direct the Officers that in future they attend very strictly to the rules given them, as it is better to save Expence to the Public, by havg no Recruits, than by takg. such as are unable to render the Service expected from them.

I am glad to hear that your State have passed the 5 pr Cent Impost, and that they are makg the provision of Taxes for the Supply of Mr Morris's Requisition. It is of the utmost Importance, that they not only lay the Taxes, but that they should also be vigorous and punctual in their Collection. I fear the greatest failure lies in the latter part of the Duty.

Considering that your Line has been a long Time without any Genl Officer, and supposing that you have by this Time

probably done all in your power to forward the Recruitg Service, I must request that you will please to repair to the Army as soon as your Convenience will possibly admit. I am &c.[2]

To LIEUTENANT COLONEL GEORGE REID [3]

Head Quarters, June 15, 1782.

Sir: I have been favord with your Letter of the 8th. instant. I have directed your Wants both in the Military Stores and Quartermasters Department, to be supplied, and you will soon receive a Quantity of Cartriges from General Knox's Order.

I am sorry for the Misfortune you suffered from your fall, and am glad that you are so far recovered as to be able to return to your Duty.

I must recommend to you to be very active and vigorous in your Command, and to give particular Instructions to your Scouts to be watchful and Alert in their Duty; not only to prevent Surprises from the Enemy; but to gain every Intelligence possible of any Movements or Approach of the Enemy, either from the Westwd or Northwd. I have been lately informed, from high up Connecticut River, that the Enemy are coming in force across the Lake Champlain to take post at Crown point; you don't make mention of any Discoveries from that Quarter: have any Scouts lately been on that Rout? I wish you to be punctual in giving me every Intelligence of this Nature that you can obtain and that you think may be depended on.

[I am to desire that you will, as far as it is practicable in your dispersed situation, attend closely to the disciplining and training

[2] The draft is in the writing of Jonathan Trumbull, jr. The words in brackets are in the writing of Washington.

[3] Lieutenant colonel commandant of the New Hampshire battalion then stationed at Albany, N. Y. He served to November, 1783.

the Men of the New Hampshire Regt, make the rules and regulations for the governmt. of the Army your guide, that uniformity may prevail in the Army, however seperated and dispersed the sevl. parts of it may be. I am &c.][4]

*To ARCHIBALD CARY

Head Quarters, Newburgh, June 15, 1782.

My dear Sir: I have been honored with your favor of the 25th. Ulto. Inclosing sundry resolutions of your Assembly respecting the insidious Manœuvres of the enemy, who, it is evident, cannot mean well, because they take indirect steps to obtain that, to which a plain road is opened; and every good Man is desirous of obtaining upon honourable terms.

I thank you my good Sir for the resolves wch. you did me the honr to inclose; they breathe a proper spirit, and with others of a like kind in the different Assemblies will, it is to be hoped, convince the enemy that it is both their interest and policy to be honest.[5]

I very sincerely condole with you on your late heavy loss,[6] but he that gave has a right to take away, and it is the duty of us *all* to submit to his Will, altho' we cannot but feel the strokes we sustain.

I should have been very happy to have seen you while I was in Virginia, if it had been but for a moment; indeed the pleasure must have been momentary, for my hours all the while

[4] The draft is in the writing of Jonathan Trumbull, jr. The portion in brackets is in the writing of Washington.

[5] The Virginia Assembly resolved, among other things (May 25, 1782) "that a Proposition from the Enemy for treating with any Assembly or Body of Men in America, other than the Congress of these United States is insidious and inadmissible" and "that this Assembly will not listen to any proposition nor suffer any Negociation inconsistent with their National Faith and Federal Union." An attested copy of these resolves is in the *Washington Papers*.

[6] The death of Mrs. Archibald Cary, who was Mary Randolph.

I was in that State were so occupied by the constant duties of my station that I could devote no part of them to the enjoyment of my friends which was not only mortifying to me, but, probably displeasing to some of them.

It gives me much pleasure to learn from so good authority as your pen, that the Assembly of Virginia is better composed than it has been for several years; much I think may be expected from it; the path we are to tread is certainly a plain one; the object is full in our view; but it will not come to us, we must work our way to it by proper advances and the means of doing this is Men and Money. In vain is it to expect, that our aim is to be accomplished by fond wishes for Peace, and equally ungenerous as fruitless will it be, for one State to depend upon another to bring this to pass; or if I may be allowed to speak figuratively, our Assemblies in Politics are to be compared to the Wheels of a Clock in Mechanics; the whole for the general purposes of War shd. be set in motion by the grt. Wheel (Congress) and if all will do their parts the Machine works easy; but a failure in one disorders the whole, and without the large one (wch. set the whole in motn.) nothg can be done; it is by the united wisdom and exertions of the whole, in Congress, who, I presume, do justice to all (but if they fail by being disproportionate in the first instance it should in my opinion be sought for and remedied in the Second rather than derange the whole business of a Campaign by the delays incident to contention) that we are to depend upon. without this we are no better than a rope of Sand and are as easily broken asunder.

I write this openly, and freely to you my dear Sir, because I pant for retirement and am perswaded that an end of our warfare is not to be obtained but by vigorous exertions; the Subjugation of America so far at least as to hold it in a dependt. State is of too much importance to Great Britain to yield

the palm to us whilst her resources exist, or our inactivity, want of System, or dependence upon other powers or upon one another prevail. I can truely say that the first wish of my Soul is to return speedily into the bosom of that Country which gave me birth and in the sweet enjoyment of demestick pleasures and the Company of a few friends to end my days in quiet when I shall be call'd from this Stage. With great truth and sincerity etc.

To THE SUPERINTENDENT OF FINANCE

Head Quarters, June 16, 1782.

My Dear Sir: Your two favors of the fourth Instant were delivered to me by General Lincoln; it is an easy matter to perceive by the tenor of one of them you have imbibed an Opinion that the Officers of this Army are captious and that by attempting to remove one complaint a Door is opend to others. I am not much Surprised at this. You have probably adopted it from the Representation of Mr. Sands of whom without doing him injustice it may be said he is extremely plausible extremely narrow minded, disingenuous, and little abounding in a temper to conciliate the good will of the Army or to adopt any measure for the convenience and accommodation of the Officers. These traits of Mr. Sands's Character are not drawn by a pen under the influence of prejudice or of one improperly biased in favor of the Army they are facts of which I have and can produce proofs and 'till the happening of which I upon the spot was deceived.

Mr. Sands, Sir, if I have not formed a very Erroneous opinion of him is determined to make all the money he can by the Contracts. Herein I do not blame him, provided he does it honestly and with a reciprocal fulfillment of the agreement. Of

a want of the first I do not accuse him but his thirst of Gain leads him in my opinion into a mistaken principle of Action. He is very tenacious of all those parts of the Contracts which point to the convenience and Emolument of the Contractors, and till very lately was determined to be his own Judge of them but is regardless of other parts, which Enjoin certain requisitions upon them. To these causes, and these only is to be ascribed I conceive the present deplorable state of the Magazines and the dangerous consequences which may flow from it. Our frequent want of daily food and the little prospect of better supplies and the inconveniences which the Army experience in the mode of issuing. He cannot I presume charge these neglects to a failure on your part and sure I am he cannot do it to the scarcity of Provisions, for the Country is surcharged with all kinds of it; but in expectation it is Said of reducing the price of Salt Meat (which unfortunately it seems has risen upon him). He notwithstanding the contract and repeated calls and the consequences of a failure has neglected it to this moment and to avoid the expence, it is moreover added, of Pasturage (for how else is it to be accounted for?) and perhaps a little diminution in the weight which all Armies and all Contractors in the World are obliged to submit to, this Army became the Sport of and Suffers by every accident or delay which happens to the droves of Beef Cattle.

I should not my Dear Sir have given you who I know have business and perplexities enough without the trouble of reading these observations (after being told that the secertary at War would enquire into and redress grievances) but from a love of Justice and a desire that every Man and description of Men should be known and rewarded or punished according to their deserts and because it would seem that your opinion has been founded on the representations of Mr Sands who

yielding nothing himself requiring every thing of others and failing in the most essential parts of his Contract adopts, as is too commonly the Case with little minds the policy of endeavouring to place the adverse party in the wrong, that he may appear in a more favorable point of View himself.

The very thing which you and every body else points out as so easy to do, is not done and is the principal hardship complained of by the Officers who think it surprising that they cannot enjoy a benefit which is essential to themselves and costs the public nothing because it will give a little trouble to the Contractors.

Those Officers who claim the Specific ration as a matter of right could not in justice and I persuade myself would not in decency complain if they should be compelled to draw or forfeit them but the question in my Opinion is whether they ought to be compelled to draw them (whether they want them or not) and whether (as it costs the public no more to give them the alternative of drawing the Specific Ration or its value) it is not reasonable, especially under the depreciation of pay, to gratify them in it, as it is all they have to live upon.

I shall beg your indulgence but a little while longer till I subscribe fully to your observation that without a Civil list neither Civil nor Military Men can exist but I must beg leave to add to it as my own that if the Military should disband for want of Pay (while the War continues to rage) a period will very soon be put to the Civil Establishment under our present Constitution; the Civil and Military then having a reciprocal dependance upon each other taxation of the property of one being equal to that of the other and the wants of both the same it is worthy of some consideration whether the first is to receive all and the other no part of their pay.

These Sentiments my dear Morris are between ourselves and tho freely communicated to you are concealed from the Officers of this Army on whom I am constantly inculcating patience and forbearance adding that their relief must flow from the Taxes and that it is incumbent upon all and Every of them to impress the necessity of Taxation upon their Several Connections and Friends as the only Source of redress, for that you are totally unsupported and cannot work Miracles.

As I never say any thing *of* a Man that I have the smallest scruple of saying *to him* I would not be understood to mean *by this being between ourselves* that any part of it that respects Mr. Sands should be hid from him, you are perfectly at liberty, if you think it necessary, to communicate these my Sentiments to him.

I hope some good will result from the deputation of Congress to the several States. Inclosed I send you a Copy of my Letter to them of the 4th. of May and should have done it sooner if I could have trusted the conveyance without putting the Letter in Cypher. I pray you to make a tender of my best respects in which Mrs. Washington joins me most cordially to Mrs Morris and Miss Livingston and to believe that with every Sentiment of esteem etc.[6]

GENERAL ORDERS

Head Quarters, Newburgh, Sunday, June 16, 1782.

Parole ———. Countersigns ———.

The first Connecticut Brigade appears to be composed of as fine a body of men as any in the Army, but as they have laboured under the same disadvantages for want of proper ground to

[6] The draft is in the writing of Benjamin Walker.

exercise upon as the third Brigade of Massachusetts, the General suspends his final Judgement of their comparative Merit with the rest of the Army untill a fairer Opportunity of establishing their Discipline can be afforded, by collecting the whole together in the field. The General in the mean time is pleased to declare that some of the Manœvers were yesterday performed with precision, but he is sorry to find Notwithstanding the recomendation contained in the order of the 8th. instant that the men of the Light Companies do not take so good aim as he expected; he hopes by great attention and frequent practice so useful a habit will soon be acquired. The General cou'd not avoid feeling some concern that all the cloathing did not appear to be perfectly fitted to the men; particularly the Overhalls; he wishes these defects may be remedied as early and fully as possible.

To THE SECRETARY AT WAR

Head Quarters, June 17, 1782.

Dear Sir: When pressed by Necessity to adopt a Measure, a Choice is scarcely left us. In answer therefore, to your Letter of the 12th instant, I am obliged to observe, that the Tardiness of the States will compel us to that, which in my Opinion, policy forbids.

At this critical Moment, Inclination would not lead me to consent to disbandg any Corps of the Army; But if the States cannot, or what is the same, will not, recruit the Regiments which are quotaed upon them, nor furnish the Supplies which are necessary for their Support, we must next consider what kind of Troops, under the present View of the Matter, can best be dispensed with; in doing which, I cannot hesitate to declare that, Cavalry, in present Circumstances and the probable Operations of the Campaign, will be least useful, and for that reason,

ought to be the first to be reduced. But how to effect this purpose, appears difficult, the Corps being very much dispersed, and the Sentiments of the Officers quite unknown to me. I confess I am at a Loss how to point out any particular Mode. To make it a Matter of Arrangement with the Officers, to determine among themselves who should go out, and who should remain in Service, would be a Work of Time. To select the best, from among the whole, is not only an invidious Business, but requires a perfect Knowledge of each individual Character; a knowledge, which with a few Exceptions, I confess myself unpossessed of. And to retain the Corps, or Officers by Seniority, may, and I am sure in some Instances would, give the most indifferent Officers in the whole Line of the Cavalry. Not being able to hit on any Method which is satisfactory to myself, I submit this point to your Decision.

If the Regiments of Artillery allotted to the States of Pennsylvania and Virginia, cannot be compleated, an Event of which I see but little prospect, however inconsistent it may be with policy, and whatever Consequences it may involve, I readily subscribe to the Opinion of Blending the two into One; nothing surely can be more inconsistent with every principle of Oeconomy, than to keep up whole Corps of Officers for the sake of a few or a handful of Men.

There cannot, I think, be a Doubt of the propriety of reducing Hazens Regiment. The Canadian part of it, may be formed into one or more Company's, according to their Number, and be employed as Watermen, or in other Services suited to their Circumstances; the remainder to be turned over to the States to which they respectively belong.

What prospects the States South of the Delaware have of getting their Regiments filled under the several Modes adopted by them, I know not; therefore can give no Opinion respecting

them; but am certain that no Regiment of Infantry belongg to any State North of the Delaware ought to be reduced.

Most of the Staff Departments of the Army have undergone a recent Change; those I presume, cannot want to Revision. The Qr Masters Departt. has been regulated without any participation of mine, and I know too little of its present Constitution to form any Judgment upon it. The same is the State of my knowledge respecting the Clothiers Department; I can only observe to you, that upon an Application to me from the Assistant Clothier here, for provisions it appeared to me, that he had more persons Employed under him than I tho't necessary, and on that Principle I refused to give him an Order for his full Request.

Thus Sir! I have given you my Sentiments on your Queries. If they shall prove of any use in effecting the salutary purposes you wish, I shall think myself happy in contributing in this Way to the genl Weal. I am &c.[7]

To THE SECRETARY AT WAR

Head Quarters, June 17, 1782.

Dear Sir: I inclose to you Copy of a Letter I have received from Major Genl Heath on the Subject of the Appointment of a Brigadier in the Line of Massachusetts. I approve the proposal; but as that is not the only Line of the Army in which promotion is become necessary, I think it will be best to be taken up on a general Scale, so far as circumstances demand.

The two Brigades of Connecticut Troops have for a long Time had but one Brigadier, owing to particular Circumstances. Colo Durkee who was the Senior Colo in that Line, having been removed by Death, Colo Swift, who I esteem a very good Officer,

[7] The draft is in the writing of Jonathan Trumbull, jr.

has now the precedence, and Stands fair for promotion to the Rank of Brigadier.

The Line of N Jersey is also without a Brigadier. I am not so decided on the Expediency of the like Appointment from that State; but should it be tho't best (as I dont know but it may be) Colo Dayton is an old Officer, and may justly claim the Rank.

These are all the promotions to the Rank of Brigadiers that I think necessary, should they meet your Approbation, I think they ought to take place at the same Time, to save uneasiness, or any Idea of partiality or predilection. I am &c.[8]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, June 17, 1782.

Dear Sir: I have to reply to your three favors of the 15th. A Copy of your Application in favor of Colo Greatons Appointment to be a Brigadier, is submitted to the Consideration of the Sectry. at War, with my Approbation, and the promotion will probably take place.

The Commandg Officer at the post of Dobb's Ferry should undoubtedly be furnished with a public Horse for the purpose of sendg by Land such Dispatches as he may have Occasion to convey in that Manner. You will please to give an Order for the purpose.

I had written thus far, when your Letter of the 17th. arrived. I know nothing more respectg the Forage used by the french Army in this State, than I did when you wrote me upon that Subject. I now return you the Letter from Genl Beville; with this Observation, that I do not recollect any thing more than a cursory Conversation with Genl Rochambeau on that Head; nothing determinate respectg Pay for it was ever said, that I

[8] The draft is in the writing of Jonathan Trumbull, jr.

remember; the Idea, when we arrived on that Ground was not that I know entertained by any one. But the Orders of Congress must be attended to. If the Arbitrators are driven to a Decision under present Circumstances, they must make the best Estimates they can; I have no Directions to give. I dont at present see anything to prevent Colo Hulls Attendance on the Arbitration. If any Danger or Inconvenience should be observed, it may be remedied on its Appearance.

Lieut Frye must remain in his present Situation untill some Determination can be made respectg him; his Case will be laid before the Secretary at War. I am &c.

PS. If Genl Beville's Letter is communicated to the Arbitrators, I beg you will let my Observation upon it be laid before them also.[9] [MS. H. S.]

To COMMODORE ALEXANDER GILLON[10]

Head Quarters, June 17, 1782.

Sir: I have received by the post your two favors of the 4th March and 6th of June.

I feel myself much obliged to you for the Care and Attention you have paid to the two Boxes sent on Board your Ship at Amsterdam; they contain a Press for Copying Letters, and were ordered on Board by Messrs De Neufville and Sons, and designed as a present from them to me.

If you will be pleased to deliver the Boxes to the Order of the Sectry at War, who will take charge of their forwardg to me, it will add to the Obligation I am already under to your Care. With much Regard etc.[11]

[9] In the writing of Jonathan Trumbull, jr.
[10] Of the South Carolina State navy, then at Philadelphia.
[11] The draft is in the writing of Jonathan Trumbull, jr.

To DOCTOR JOHN COCHRAN

Head Quarters, June 18, 1782.

Sir: It appears to me that keeping up an Hospital at Boston is a very needless expence to the Public; the only pretext that could be offered for it, was the Corps of Invalids being there; that Corps being now removed and no Continental Troops remaining or likely to be there, I see nothing to prevent the Hospitals being broke up immediately and I desire you to take measures accordingly. I am &c.[12]

To EGBERT BENSON[13]

Head Quarters, June 18, 1782.

Sir: Some Disputes having arisen between the Army and Mr Sands in the Execution of his Contract; It becomes necessary to have them decided in the Mode prescribed in the Contract, which is by the submittg them to the Decision of three Indifferent Men not of the Army. One to be chosen by the Army, the second by Mr Sands, and the third by the other two.

Havg named you on the part of the Army, as one of the Arbitrators, I have to request the favor of you to inform me whether it will be convenient for you to undertake this Business, and when it will best suit you to attend; begging leave to observe that the earlier you fix the Time, in case of Acceptance, the more agreeable to me, and the more Beneficial to the public and the Army. I am &c.[14]

[12] The draft is in the writing of Benjamin Walker.

[13] Attorney general of New York; commissioner to superintend British evacuation of New York, 1783; New York Delegate to the Continental Congress, 1784; Member of Congress, 1789–93.

[14] The draft is in the writing of Jonathan Trumbull, jr.

To GOVERNOR BENJAMIN HARRISON

Head Quarters, June 18, 1782.

Sir: I have received your Excellency's Favor of the 31st. of May, covering your Letter Addressed to Sir Guy Carleton.

As your Letter, with the Depositions which accompany it, contain every thing that is to be said on the Subject, it is needless for me to impress it with any Observations of mine.[15]

The Letter to Sir Guy, is forwarded by a flag to N York, and any Reply he may be pleased to commit to my Care, shall be transmitted to your Excellency by the first Conveyance. I am &c.[16]

GENERAL ORDERS

Head Quarters, Newburgh, Tuesday, June 18, 1782.

Parole ———. Countersigns ———.

The General informs the Army he had great Occasion to be satisfied at the review of the second Connecticut Brigade yesterday, especially with the soldierlike veteran appearance of the men and the exactness with which the Firings were performed; he felt a particular pleasure in observing the cleanliness and steadiness of the second regiment under Arms. The activity and emulation displayed by the Detachments of Artillery during the late reviews deserve encouragement and applause.

The review of this Army by Brigades being now completed the Commander in Chief is happy in having this Opportunity to present his thanks to Major General the Baron Steuben for the indefatigable assiduity and singular attention exhibited

[15] This letter made the complaint that an American sloop was seized by 5 seamen, said to have deserted from a British flag brig. As the sloop was believed to have been carried into New York, the illegal connivance of the captain of the flag was suspected. Harrison's letter is in the *Washington Papers*.

[16] The draft is in the writing of Jonathan Trumbull, jr.

in the late Inspections and reviews, and for his eminent services in promoting the discipline of the Army on all Occasions, and at the same time to express his approbation of the present laudable disposition and pride of Corps which seem to be diffused throughout the Army. From this spirit of emulation and a consideration of the amazing contrast between the past and present appearance of the troops the General anticipates the happiest consequences: but being persuaded that appearance alone is not sufficient to establish the reputation and ensure the success of our Arms, and that frequent and repeated Exercise is absolutely necessary to constitute the perfection of Discipline, he requests in the most pointed terms that the Commanding Officers of Divisions and Brigades will punctually exercise the troops alternately every other day in brigade and by detail. In the course of the Exercises the Officers are permitted to vary the manoevres as time, circumstances and inclination may prompt: provided they do not deviate from the established principles, but in all cases the General intreats the Officers to pay the most minute attention to the soldiers method of priming and loading as well as of levelling and taking aim, this is an article of the greatest consequence, he hopes therefore that the utmost pains may be taken to instruct every individual in this essential part of his professions. The honorable the Secretary at War has requested the Commander in Chief to communicate to the Army the very singular satisfaction he enjoyed in the Military appearance and regularity of disciplinee so observable in the troops he had the honor to review; and at the same time assure the Army he will not fail to represent their distinguished merit to Congress.

By a General Court Martial held at West Point the 15th instant Captain Williams,[17] Brigade Major of the 2d Massachusetts

[17] Capt. Abraham Williams, of the Second Massachusetts Regiment. He served to November, 1783.

Brigade, was tried for not furnishing a man for General Heaths Barge when detailed on the 6th. instant by Captain Haskell,[18] on General Heaths express orders for that purpose. The Court are of opinion that Captain Williams is not guilty of the charge exhibited against him and that he be honorably acquited.

The Commander in Chief approves the sentence, Captain Williams is released from his Arrest.

*To GOVERNOR WILLIAM LIVINGSTON

Head Quarters, June 18, 1782.

Dear Sir: I perceive by your Excellency's letter of the 10th that I have not been fully understood by Mr Lott. When that Gentn. applied to me for permission for himself, and Son in Law Mr. Livingston, to go into New York, My answr. as nearly as I can recollect, was "I thought he had been well acquainted with my determination not to give passports to Citizens, unless they should previously have obtained permission from the Governor or Executive of the State to which they belonged." He confessed he knew this had been the practice but supposed, as all Flags were confined to Dobbs's Ferry and your Excellency had forbidden any other by proclamation that his application ought to come immediately to me. "I assured him, *as I thought,* very explicitly, that nothing more was intended, by these changes, than to prevent abuses; and those evils which had proceeded from a loose and indiscriminate intercourse with the enemy; that I never had it in contemplation to lay the least restraint upon the Executive of any State to grant permission to any Subject they thought proper to go within the Lines of the Enemy through that Channel; and that all the Agency I had in

[18] Capt. Elnathon Haskell, of the Fourth Massachusetts Regiment. He was aide to General Howe in September, 1782, and served to June, 1784.

the matter was to give a permit as a mere official piece of duty. That I did not in the first instance conceive the right was in me, to grant passports to Citizens for Civil purposes, and moreover that if such a right did exist I should not exercise it without a recommendation from the Executive of the State from whence the applicant came as it was not to be supposed that I could have a general knowledge of characters or that I would enter into an inviduous distinction of them by granting to one and refusing another.

This Sir is the substance, if not the very words of my conversation with Mr Lott, and I have only to add to them that my Instructions to the Officer commanding at the Post of Dobb's Ferry (now Colo. Greaton) is, to permit no Person to go into, or come out of New York unless they have regular passports from Congress, the Executive of any State, the Secretary at War, or myself nor to grant Flags under any other Orders.

If your Excellency chooses to give permission to Mr. Lott and his Son in Law, whose characters and principles you have better oppertunities to judge of than me to go into New York the door in this case, as in all others, is open to your Orders. I have the honr. etc.

GENERAL ORDERS

Head Quarters, Newburgh, Wednesday, June 19, 1782.

Parole ———. Countersigns ———.

The Court of enquiry held at the Barracks of Philadelphia 11 May 1782. by order of the honorable Major General Lincoln, Secretary at War, to enquire into the cause of a complaint exhibited by the Citizens of the State of Pennsylvania against the Officer and soldiers belonging to a Guard boat going to a flagg of truce in the Delaware by special orders from the Minister.[19]

[19] Of France.

Whereof Brigadier Genl Williams was president, are of Opinion that Lieutenant Hubbert[20] could not consistently with the orders which he had received have permitted the said Boat to have passed without examination and therefore think his condition Justifiable. The Commander in Chief approves and accepts the report of the Court.

The Commander in Chief having at the United sollicitation of the Officers of this Army presented the following Congratulatory Address to his Excellency the Minister of France. . . .[21]

To which his Excellency the Chevalier de la Luzurne was pleased to return an answer of which the following is a Translation

To His Excellency General Washington, Commander in Chief: The Generals and other Officers of the American Army on the Hudsons River Gentlemen: I shall transmit to his Majesty the Address you have been pleased to send me on the birth of an Heir to his Crown. It will afford him infinite satisfaction to find with what joy this event has inspired you, and he will see with pleasure that the same Army which has Given so many proofs of courage and Patriotism, and which has in the most perfect harmony and concert with his own Troops fought the common Enemy now hastens to shew that nothing which affects the French Nation can be indifferent to them. The young Prince whose birth is the object of your congratulations will from his infancy hear recounted the glorious actions by which you have effected the independence and happiness of a vast Continent, and when they wou'd cite to him examples of disinterestedness, Constancy, Courage and every other Military virtue they will repeat to him the names of your illustrious Chiefs.

He is born at a moment when victory has Crowned both our Nations. This circumstance is a happy presage of his future glory and promises that he will one day be the support of your Independence as well as of the alliance which unites France with the thirteen United States. The venerations that your Actions and your Virtues have inspired me with

[20] Hubbard(?).

[21] The text omitted here does not vary from the original. (See Washington's letter to Chevalier de la Luzerne, June 5, 1782, *ante*.)

Gentlemen augment the pleasure that I have in conveying your sentiments to the King my Master. I beg you to be persuaded that no one is with more sincere respect Gentlemen Yr. very Hble and very Obt. Servt. Le Chevalier de la Luzerne.[22]

To THE SECRETARY AT WAR

Head Quarters, Newburgh, June 19, 1782.

Dear Sir: I have the honor of inclosing the Extract of a Letter from Col Nicola Commandant of the Corps of Invalids, proposing some alterations and amendments in the Establishment of that Corps; and wish you a decision thereon. I likewise transmit an Extract of Genl Heaths Letter of the 17th Inst to me, covering a Letter from Lt. Frye[23] (which is also inclosed) and have to request that not only a determination in the present instance, but a Rule which will operate in similar cases for the future, may be obtained.

I was happy to learn from you that an adequate provision has been made by Congress for the Maintenance of Invalids who are rendered totally incapable of service and have become an incumbrance to the Army, and intreat you will be pleased to forward that Resolution as soon as conveniently may be. I have the honor &c.[24]

To MAJOR JAMES RANDOLPH REID

Head Quarters, June 19, 1782.

Sir: His Excellency the Commander in Chief directs me to reply to your Favor of the 30th May, and inform you, that

[22] The original, in French, and a translation by Benjamin Walker, are in the *Washington Papers* under date of June 10, 1782.

[23] Lieut. Nathaniel Frye, of the Eighth Massachusetts Regiment. He retired in January, 1783.

[24] The draft is in the writing of David Humphreys.

considering the Footg on which your Arrest stands,[25] and upon a View of all Circumstances attendg it, it is his Opinion that your Trial should be deferred until an Opportunity presents of havg a Court formed from the Line of the Army. I am &c.[26]

To THE SECRETARY FOR FOREIGN AFFAIRS

Head Quarters, June 19, 1782.

Dear Sir: Your favor of the 12th[27] I was honored with last night, and not chusing to trust my Sentiments on the subject of it to paper, I communicated them freely to General Lincoln, who set off at 4 oClock this morning on his return to Philadelphia, with a request that he would convey them to you. When I am favor'd with the Cypher which you have promised me, I will convey my Opinion upon your proposition in my own words, with my reasons for it; In the mean while I remain with every sentiment of esteem etc.[28]

To PRESIDENT JOHN DICKINSON

Head Quarters, June 19, 1782.

Sir: I feel myself much Obliged by the friendly Communication of your Sentiments to me on the Subject of Retaliation, conveyed under your Favr. of the 30th May;[29] a Subject truly disagreeable and distressing to me.

The horrid Circumstances of Barbarity which introduced the Instance which now gains our particular Attention, came to me under the Representation of so respectable a Body of

[25] Reid had been arrested by General Hazen for disobedience of orders, unmilitary conduct, and ungentlemanly behavior.

[26] The draft is in the writing of and is signed by Jonathan Trumbull, jr.

[27] Livingston's letter of June 12, 1782, is not now found in the *Washington Papers*.

[28] The draft is in the writing of Benjamin Walker.

[29] Dickinson's letter of May 30 is in the *Washington Papers*. His doubts respecting the retaliation were based entirely upon the legal aspects of the matter.

Citizens, that they could not but gain my Notice and Interposition especially from a Consideration that if it was not taken up in this Line, the people, strongly provoked by their feelings on the Occasion, would probably have assumed the Matter upon their own Decision and bro't it to an issue under their own power, which mode of Proceedg, if permitted, would have involved Circumstances still more lamentable and calamitous.

In takg my Resolutions I also found myself supported by many repeated Declarations of Congress on this Subject. And, after my Resolutions being taken, have had the Satisfaction to receive the fullest and most Decided Approbation of that Hono Body on this particular Instance.

But under all these Circumstances, altho I never had a Doubt on the general propriety of the Measure, yet It was not my Intention, could it be avoided, to have taken as a Subject of Retaliation, an Officer under Sanction of Capitulation or Convention; and my first Orders were issued agreeable to that Idea, but unfortunately, it was reported to me that no Officer of an unconditional Description, was in our possession, which laid me under a Necessity of givg further Orders, exceedg my original Intentions; in Consequence of which the unhappy Lot is fallen upon Capt Asgill, a prisoner under the Capitulation of York Town.

I feel myself exceedgly distressed on this Occasion; but my Resolutions, having been taken upon the most mature Deliberation, supported by the Approbation of Congress, and grounded on the general Concurrence of all the principal Officers of the Army, who were particularly consulted on the Subject, cannot be receded from. Justice to the Army and the Public, my own Honor and I think I may venture to say *universal Benevolence,* require them to be carried into full Execution.

It rests therefore on the British Commander in Chief to prevent this unhappy Measure takg effect. An Application is gone to Sir Guy Carlton from Capt Asgill, begging his Interposition to avert his Fate; the Matter is now in Agitation and I am told that a Strict Enquiry is makg into the Conduct of Lippincot, who is charged as being the principal perpetrator of the cruel Murder of Capt Huddy.

Should this Enquiry lead to giving Satisfaction by a Compliance with my Original Demand to Sir Henry Clinton, my feelings will be greatly relieved, and I need not assure you that I shall receive the highest pleasure from such an event. I am &c.[30]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, June 20, 1782.

Sir: I am directed by the Commander in Chief, who went to Poughkepsie early this morning, to acknowledge the receipt of your favors of the 18th. and 19th, and to inform you that he has placed the Contract on such footing, that in future, he hopes, no complaint will arise from a want of provision, or from the Officers not having their wishes gratified by the mode of Issues; the alteration of the Contract only waits for Mr. Morris approbation and that the pay of the Army depends altogether on the compliance of the several States with the requisitions of Congress, without which it is utterly impossible for Mr. Morris to give the Army a farthing.

Inclosed is a furlough for honest Jones[31] of the 9th. Regt, the place of his abode must be mentioned and the furlough registered in the Books of the Regt.

[30] The draft is in the writing of Jonathan Trumbull, jr.
[31] Abel Jones, private in the Ninth Massachusetts Regiment.

Your private Letter[32] which the Genl. has recev'd will be answered when he returns from Poughkepsie. I am &c.[33]

To TIMOTHY EDWARDS

Head Quarters, June 21, 1782.

Sir: The thousand Barrels of salted provisions which the Contract obliges you to furnish, I conceive to be intended for the contingent purposes of the Army, dependg on particular Operations, and not for immediate Issues; previous therefore to replying to your Question respectg the places of Deposite, I will be glad to know, whether the Contractors for the movg. Army, mean to supply any Quantity of salted provisions for immediate Issue, or occasional Expenditures; for the latter, should it be your Intention, I have no hesitation to give you an instant reply, and upon a resolution of that point, I shall be enabled better to determine the former. I am &c.[34] [N.Y.P.L.]

To BRIGADIER GENERAL ELIAS DAYTON

Head Quarters, June 22, 1782.

Sir: I have received your two Letters of the 17 and 18 Inst. The only object I had in view in ordering Capt Asgill to be confined at the Hutts was the perfect Security of the Prisoner; this must be attended to; but I am very willing and indeed wish every indulgence to be granted him that is not inconsistent *with that.* The same with respect to Captain Schaack.

When I ordered on an Officer for the purpose of retaliation I mentioned my willingness that he should make any application

[32] Heath's letter to Washington (June 19) bears the following indorsement by Jonathan Trumbull, jr.; "furlough for Soldier of 9th. to repair *the Injury* done his Sweetheart last Winter—granted."

[33] The draft is in the writing of and the letter sent is signed by David Cobb.

[34] The draft is in the writing of Jonathan Trumbull, jr.

he thought proper to the British Commander in Chief in whose power alone it lay to avert his destiny but I at the same time desired it to be announced that I would receive no application nor answer any Letter on the Subject, which did not inform me that Satisfaction was made for the death of Capt. Huddy. I imagine you was not informed of this circumstance, or you would have prevented Majr. Gordon's applications on the subject. I am &c.[35]

To MAJOR COGGESHALL OLNEY

Head Quarters, June 22, 1782.

Dear Sir: The Commander in Chief has no other objection to your proposals for reinlisting the Recruits, than your offering a bounty before you have the permission of the State to do it; but when you have obtained that permission, he has no objection to giving furloughs for one or two months next Winter for those you reinlist.

Those Recruits who have been furlough'd from the Connecticut Line, reinlisted without any bounty, if any in your Regt. choose to reinlist on the same terms, they will no doubt be indulged in the same manner; if any do reinlist on these terms, you must be accountable, in some measure for their return. I am &c.[36]

To PHELPS & COMPANY[37]

Head Quarters, Newburgh, June 22, 1782.

Dear Sir: Since my conversation with you yesterday, I have been informed that the terms proposed to you by the State of

[35] The draft is in the writing of Benjamin Walker.
[36] The draft is in the writing of and the letter sent is signed by David Cobb.
[37] Contractors for the moving Army.

Connecticut for taking their salted provisions, are grounded on an expectation of their being delivered at this River,[38] and that their price is fixed on that ground; in which case, I suppose, an additional sum is fixed beyond that which could be proposed upon a certainty of its delivery at Connecticut River, only sufficient to cover the expence of its transportation; if this is the case, unless you have something in view more than is in my Mind, perhaps there is no necessity of fixing, at this time, on the places of Deposit for the moving Army, as the expence of transportation will be no more by and by than at present. You are fully acquainted with the difficulties on my Mind, which prevent my being able to fix on the places where it will be best for the provision to be lodged; If therefore my information is well founded, and my observations thereon appear to you in the light they do to me, I think it is necessary at this Time only for you to decide on taking the provisions from the State, fixing the price on a supposition of their being deposited at Connecticut River, and leaving the contingent transportation to a future determination as circumstances may turn up.

But if your objections to this proposition should be insuperable; then fix on West Point as a place of Deposit for the 100 Barrels of provisions mentioned in the moveing Contract. I am etc.[39] [N.Y.H.S.]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, June 22, 1782.

Dear Sir: As the Referees, who are to settle the disputes between the Army and Mr. Sands & Co., will sit for that purpose in a few days, it will be necessary for the Gentn. of the Army to appoint some Person to attend in their name to conduct the

[38] The Hudson.
[39] In the writing of David Cobb.

business; I wish you therefore to make it known to the Army under your Command, that such person may be appointed, and that he properly prepare the necessary papers, in defence of the Charges, against the meeting of the Referees, the time and place of their meeting will be notified to you. I am etc.[40]

[MS. H. S.]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, June 22, 1782.

Dear Sir: By the Order of this day you will see the Army is to go into Tents as soon as conveniently may be. The ground of Encampment for the different Corps ought to be as contiguous to their present Cantonments as the nature of the ground[41] will admit. I am etc.[42] [MS. H. S.]

*To MAJOR GENERAL WILLIAM HEATH

Newburgh, June 22, 1782.

Dear Sir: In answer to your private letter of the 19th, I have to observe, that it was not my intention by the Order of the 4th. of April, to call in question, or deprive you, of any part of the Command which was confirmed in the subsequent one of the 9th. Instt. The Order of the 9th. (last mentioned) did not proceed from any doubt in *my* mind of the meaning of the first, but because different interpretations was put on it by *others;* because confusion and disorder was about to ensue, and because I had *understood* from the Adjutt. Genl. that you, yourself, required an explanation of it to the Army; to prevent those evils which were resulting from misconception; had

[40] In the writing of David Cobb.
[41] The draft has the word "Country."
[42] In the writing of David Humphreys.

I known that Captn. Williams was in arrest, and to be tried on the merits of that order, I certainly should not, at the time I did, have issued the explanatory one of the 9th.; which was, in some measure, prejudging for the Court; as it was upon the construction of the order of the 4th. of April that the matter, ultimately, would rest.

As you are pleased to ask my opinion on the propriety of dropping, or prosecuting the point in dispute, I shall give it in favor of the latter; because I have too good an opinion of Colo. Putnams sense, and knowledge of Discipline, to suppose he would have forbid the Brigade Majr Williams to comply with your order (thereby incurring responsibility) unless he had conceived himself justified under the order of the 4th. of April. I am, etc. [MS. H. S.]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburgh, June 22, 1782.

Dear Sir: I have received your favors of yesterday and of this date by Major Lyman. I can have no objection to the assembling of the Officers of the Masstts. Line for there obtaining, in a decent manner, the regular settlement of their Just dues, but am very sorry there should be any occasion for such proceedings; I supposed that Congress had passed Resolutions, directing the several States or Mr. Morris to adjust all the Accounts of the Army up to the year 1782, and believe I mentioned that circumstance in a Letter to you last Winter; and had no doubt but a settlement had taken place accordingly.

It is very indifferent with me what Court Colo. Badlam is tryed by, so long as the truth of his proceedings are made known, I shall therefore leave it at your discretion. I am &c.[43]

[MS. H. S.]

[43] In the writing of David Cobb.

To SIR GUY CARLETON

Head Quarters, June 22, 1782.

Sir: Your Favor of the 20th June I have had the Honor to receive.

Could I view your Excellencys proposal for a meeting, as intended to involve Objects of a military Nature, I should have no Objection to complying with your Request; but if its purpose embraces (as would seem from your Letter) only points of civil Discussion, I conceive it wholly unnecessary for me to accede to it.

As I had the Honour in my last, transmitting the Circumstances relating to Hetfield and Bagely, to inform you, that findg them entirely in the Hands of the Civil power, It was not within my Line to say any thing further on the Subject; so, from the Tenor of your Letter, it becomes necessary for me now to be very explicit in mentioning to your Excellency, that in matters of civil Resort I am not authorized in any Case to make the least Interference. The Civil Laws, within the several States, having been passed without any Agency of mine, I am equally excluded from any Part in their Execution; neither is it to be supposed, that they are under any Controul or Influence from me. The Civil power therefore of the States only, being competent to the Discussion of civil points, I shall leave them solely to their Consideration; being determined to confine myself to the proper Line of my Duty, which is purely military.

Previous therefore to a Closure with your proposal, I have to request that your Excellency will be pleased to declare, whether it was your Intention, that the Gentlemen whom you wished to meet together should be convened in Military Capacity only and be confined solely to the Discussion of Military points. If so, I shall immediately on Receipt of your Answer, nominate one or more Gentlemen, who shall be authorized to attend such

persons as may be appointed on your part, at Dobb's Ferry, the most convenient intermediate post for both parties, and shall feel myself very happy, if by a Discussion of any military points which may then be proposed, any Measures can be adopted for humanizing as much as possible the Calamities attendant on a State of War. I am &c.[44]

GENERAL ORDERS

Head Quarters, Newburgh, Saturday, June 22, 1782.

Parole ———. Countersigns ———.

The Troops may go into Tents as soon as the Quarter Master can furnish the necessary Camp Equipage, at such convenient places as Major General Heath shall direct, who in pointing out the position for encampment will be pleased to have regard to the conveyance of supplies by water as well as to the ground for Manovring in the vicinity. Those Corps which are most incommoded in their present quarters will take the field first. Great attention must be paid to the preservation of private property, to prevent throwing open inclosures or the wanton distruction of Grain, Grass or any other produce whatever.

The Commanding Officers of Brigades and Regiments will make return of all officers who were on furlough last winter and have not return'd to their duty, specifying the reasons (if any are known) for their absence.

GENERAL ORDERS

Head Quarters, Newburgh, Sunday, June 23, 1782.

Parole ———. Countersigns ———.

There having been great irregularity in the mode of bringing Captain McCurdy of the Pennsylvania Line before the Court

[44] The draft is in the writing of Jonathan Trumbull, jr.

Martial holden at Carlisle the 16th. of May last, whereof Col. Richard Butler was President, the General disapproves the proceedings and orders the Court to be dissolved.

The honorable the Secretary at War has been requested to order a Court Martial at Philadelphia for the tryal of Captain McCurdy[45] as soon as circumstances will admit.

At a Brigade General Court Martial held in the Jersey Line the 13th. instant, Major Forman President, George Cook a soldier in the 2d Jersey Regiment was tried for Desertion, found Guilty being a breach of the first Article of the 6th. section of the Articles of War and sentenced to suffer Death.

The Commander in Chief approves the sentence of the Court.

To THE SECRETARY AT WAR

Head Quarters, Newburgh, June 23, 1782.

Dear Sir: By the inclosed Extract from General Orders (which I have the honor to request after perusing, you will be pleased to seal and forward) my determination respecting the proceedings of the Court Martial of which Col Richd Butler was President in the case of Capt McCurdy, will be made known to you. As I do not consider Brig General Hazen as commanding throughout the State of Pennsylvania and consequently capable of Ordering Officers from the various parts of the State to attend at whatever place he may think proper; and as I have great reason to apprehend a spirit of faction and other ill consequences will be produced by the clashing sentiments of the different Officers concerned in the dispute, to the great detriment of service, unless measures are taken to prevent it; I have therefore taken the liberty to trouble you with my request that you will appoint a Court Martial for the tryal of Capt McCurdy whenever the circumstances may be convenient.

[45] See General Orders, Nov. 21, 1782, *post*.

I suppose it will not be necessary to hasten this business at the present moment, because I do not see how the Court could proceed without some person to support the charges, which cannot be the case with the Gentleman at whose instance the prisoner was put in arrest; should the circumstances of Captain Asgill the Complainant (who you are sensible is now prevented from attending) finally debar him from carrying on the prosecution; I should presume the charges will Lie of course, and Capt McCurdy must be released from his arrest: this will probably be ascertained in the course of a short time.

I do not enlarge on the subject, or apologize for the trouble, I am giving you; because I know you are perfectly acquainted with the matter, and are always ready to incur any personal trouble which will contribute to the public good. I have the honor &c.[46]

To DOCTOR ISAAC LEDYARD

Head Quarters, June 23, 1782.

Sir: Your Letter to the Commander in Chief was received some time since, but for want of a judge Advocate to conduct a Court Martial, an answer was delayed; since then the Adjt. Genl. has been requested to obtain some person to act in that Character, if this can be effected, your Trial may come on immediately, as it is his Excellencys opinion that no person ought to be kept in arrest at the pleasure of the Arrestor. I am etc.[47]

To THE SECRETARY AT WAR

Head Quarters, June 24, 1782.

Sir: You will observe by the inclosed papers, that Lt. Colo. Smith and Majr. Clarkson have applied for leave to join the

[46] The draft is in the writing of David Humphreys.
[47] The draft is in the writing of and the letter sent is signed by David Cobb.

combined Armies in the West Indies. As it is not with me to grant the permission, I have referr'd it to you, that you may grant their request or if that is not in your power, may make the necessary application to Congress in their behalf. I am &c.[48]

To BRIGADIER GENERAL ELIAS DAYTON

Head Quarters, Newburgh, June 24, 1782.

Sir: I enclose you the Copy of a Letter from His Excellency Governor Livingston to me, informg that two Persons coming from N York in a private manner to Elizabeth Town have been suffered to pass from thence by Captain Dayton; this (whatever the particular circumstances might be) is so diametrically opposite to the spirit of my directions expressed in my Letter of the 10th. of May to you, that I must confess I was not a little surprised to hear of it. When I prohibited all intercourse at that Post by Flags, it was impossible for me to conceive that a door of private communication would be opened, by the knowledge of our Officers, and therefore could not think it necessary to take particular precaution against it; But Sir, you will now consider it as my most positive Order, that none of our Prisoners or any other characters of any discription whatever shall be permitted to pass in any way whatever to or from the Enemy with the privity of any Officers commandg under you. And if you should find Captain Dayton or any other Officers not disposed to carry this Order zealously into execution, you will have them relieved by others who will pay the strictest attention to it, and to put a total period to all kind of intercourse whatever with the Enemy. I am etc.[49]

[48] The draft is in the writing of David Cobb.
[49] The draft is in the writing of David Humphreys.

CERTIFICATE TO LIEUTENANT COLONEL WILLIAM STEPHENS SMITH

Head Quarters of the American Army, June 24, 1782.

Lieutenant Colonel William S. Smith entered the Service of the United States at the Commencement of the present War; in August 1776 he was appointed an Aid de Camp to Major General Sullivan with the Rank of Major in the Army, on the 1st day of January 1777 he was promoted to be a Lieutenant Colonel in one of the additional Battalions raised by the Commonwealth of Massachusetts; after which he had the honor of serving as Inspector and Deputy Adjutant General to the Corps of Lt Infantry, under the Command of Major General the Marquis de la Fayette in the Campaign 1780; and in the Month of July 1781 he was appointed Aid de Camp to the Commander in Chief of the American Army; in all which several Military Stations, We hereby Certify he has behaved with great fidelity, bravery, and good conduct.

During the course of Service Colonel Smith has had many opportunities of signalizing himself by his gallantry, intelligence, and professional knowledge, in the several Enterprizes, Battles, and Seiges at which he has been present; particularly in the Actions of Long Island and Harlem Heights, at the Seige of New Port, in the expedition under the Orders of Major Genl Sullivan, against the Savages, in the Battle of Springfield, where he commanded a Regt. at the successful Siege of York in Virginia, where the Army of Lord Cornwallis surrendered Prisoners of War, and on many other important occasions. In consequence of which he hath merited my approbation and this Testimony of his being a Brave and valuable Officer.[50]

[50] The draft is in the writing of David Humphreys.

To LIEUTENANT COLONEL WILLIAM STEPHENS SMITH AND MAJOR MATTHEW CLARKSON

Head Quarters, June 24, 1782.

Gentlemen: I have this Moment received your Application to me requestg Liberty to join the combined Armies in the West Indies, for this Campaign.

I applaud Gentlemen the noble and generous Ardor displayed on this Occasion. But having never taken upon me to grant Leave of Absence to Officers in the American Army, without permission of Congress, your application shall be conveyed to that Hono Body for their Approbation.

If your Desires should be gratified in obtaing the Leave you ask, I most sincerely wish you every Success your Military Genius and good Intentions demand; and that you may return again to your Country, crowned with Laurels, to enjoy the Honor and Satisfaction of your generous Services.[51]

CERTIFICATE TO MAJOR MATTHEW CLARKSON

Head Quarters, June 24, 1782.

Major Matthew Clarkson commenced his Military Services as a Volunteer early in the present War. In the Year 1777 recd a Majority in the Army of the United States and was present at the Surrender of Lt. Genl Burgoyne at Saratoga having been active in all the principal antecedent Engagements that produced that Event. In the Year 1779 was appd A D C. to Majr. Genl. Lincoln (now Secretary at War) then commanding Officer in the Southern Department. In that Character he served at the Siege of Savannah. In 1780 He acted as a Major of a

[51] The draft is in the writing of Jonathan Trumbull, jr.

Corps of Lt. Infantry during the Siege of Charles-Town; In 1781 he returned to his former Situation as A D C. to Mr G Lincoln and was present at the Reduction of the British posts of York and Gloucester under the Command of Lt. Genl. Earl Cornwallis. Soon after this when Major Genl. Lincoln became Secretary at War, he was appd his Assistant. In all which Stations from my own Knowledge and the Report of the General officer under whose immediate Orders he has Served I am authorised to declare that he has acquitted himself with great Honour.[52]

To THE COMMANDING GENERAL OF THE FRENCH JAMAICA EXPEDITION

State of New York, June 24, 1782.

Sir: The Gentn. who will have the honor of presenting this Letter to your Excellency, is Lieut. Colo. Smith, an Officer in the Service of the United States of America, and lately one of my Aid de Camps.

The Certificate[53] which I have given him of equal date with this Letter, is a tribute justly due to his merit.

His wish to see foreign service, and desire of improving in the art of War under the auspices of your Excellency has induced him to make a tender of his services as a Volunteer at the expected invasion of Jamaica.

He will do me the favor to assure you, personally of my high respect, and ardent wishes for your success. I have the honor etc.[54]

[52] The draft is in the writing of Hodijah Baylies.

[53] The draft of the certificate mentioned is in the *Washington Papers*, June 24, 1782. Smith's in the writing of David Humphreys and Clarkson's in that of Hodijah Baylies.

[54] The draft is in the writing of David Cobb. Practically the same letter, but much briefer, was given to Maj. Matthew Clarkson.

To GOVERNOR WILLIAM LIVINGSTON

Head Quarters, June 24, 1782.

Sir: I have received your Excellencys Letter of the 18th. and being much concerned for the Occasion, I am much Obliged by a Communication of its Contents.

My Instructions to Colo Dayton were very pointed, strict and positive to prevent every Intercourse with the Enemy by Way of Elizabeth Town, or any of the Jersey posts; informg him that no Communication was to be held with the Enemy but by the Way of Dobb's Ferry. No private Orders have been given by me to Capt Dayton or any other person, giving any Indulgence deviating from my general Orders, and whatever he has done on this Occasion, contrary to what was communicated in my Letter to your Excellency is absolutely contrary to my Mind and Intention.

I have written to Colo Dayton pr this Opportunity and inclosed Copy of your Letter to me, and have renewed my Instructions to him, that he take every Caution to prevent any Contravention of my Orders.

I am much obliged by your Excellencys Attention to this Matter and beg that you will continue to join your Exertions with mine, to endeavour as much as possible to break up this undue practice of holding Intercourse with the Enemy by any other way than that established at Dobb's Ferry.

If any Information against *"that Post*[55] relative to a more serious Matter," can be produced and well supported, I will be much obliged if your Excellency will be pleased to have it forwarded to me as soon as possible, with the proper Documents. I have the Honor etc.[56]

[55] Dobbs Ferry.

[56] The draft is in the writing of Jonathan Trumbull, jr.

*To CHEVALIER DE LA LUZERNE

Hd. Qrs. Newburgh, June 24, 1782.

Sir: I was in the moment of sending off a dispatch to Count de Rochambeau, of which I have the honor to inclose a Copy, when your Excellencys Letter of the 14th. Inst. arrived.

I have only to refer you to my Letter of the 28th. of April for a perfect state of matters in this Quarter; and as little alteration has taken place since that period your Excellency will readily perceive the impracticability of the movement expected by Congress (and mentioned in your Letter to Count de Rochambeau) especially too when you consider how unprepared we are to encounter any expence that can possibly be dispens'd with.

My Ideas on *this*[57] head; The *removal* of the French Army in our present State of uncertainty; The *consequent call* of the Militia to occupy the Posts they would leave and cover the Stores, Shipping &ca. wch. must necessarily remain, and on the *general posture* of our Affairs were communicated fully to the Secretary at War when he was here with a request that he would unfold them to your Excellency as I could not commit them to Paper without a Cypher.

The Enemy, from the best intelligence I get from New York, have made no detachment; things remain there in Statu quo; they seem to be suspended, and are waiting for orders from their Court; which I hear they anxiously expect. As I am just stepping into a Boat for Albany, and dare not commit more to paper, I have only to give a fresh testimony of the respect and esteem with which etc.[58]

[57] This and the following italicized words are underscored in the letter sent, but not in the draft.

[58] The letter sent is in the writing of Benjamin Walker and varies from the draft in capitalization and italicized words. It is in the *Paris Archives, Aff. Etrang., Mems. et Docs., E. U.*, vol. 6.

To COMTE DE ROCHAMBEAU

Head Quarters, Newburgh, June 24, 1782.

I have looked with anxious Impatience, my dear Count, for those Dispatches from your Court, the Arrival of which to you was to be the Basis of our Interview at Philadelphia. I have been in such daily Expectation of this Event that I have not ventured more than 15 Miles from this place, lest your Summons should arrive here in my Absence.

The Season for operating in this Quarter is flying away rapidly, and I am more and more embarrassed in determining on the Measures which are proper to be pursued. If the Aids, which are designed for us by your generous Nation, are sufficiently powerful and arrive in Season to warrant the Enterprise of New-York, not a Moment should be lost in commencing your March this Way. On the other Hand, if the naval Superiority destined by his most Christian Majesty for this Coast should be late in Coming; or if when it does arrive, our Force should be judged inadequate to the Seige of New York and our Arms are to be turned against Charles-Town as the next Object of Importance, every step which the French Army under your Excellency's Command make this Way, not only serves to fatigue them; but the Baggage Teams and Artillery Horses which are provided for the Service of the Campaign would, by such a Movement, be rendered unfit to perform a March to South Carolina; and every other Expense incident to this Manœuvre would be needlessly increased.

In this State of Uncertainty, which may also be accompanied by unexpected Embarrassments occasioned by the late Events in the West Indies, I find myself at a loss to determine upon any Thing; and could wish our Interview to take place, even under these Circumstances, that we might, by a free Intercourse of

Sentiments upon certain Hypothesis, mature Matters in such a Manner, as to facilitate any Operations to which our Force shall be adjudged competent (having regard to the Season) when the plans of your Court are announced to us.

If your Excellency approve of such a Meeting, before you receive your Dispatches, you have only to inform me of it, and I shall attend to your Time at Philadelphia, or any other place at the shortest Notice.

I am at this Moment on the point of setting out for Albany on a Visit to my posts in the Vicinity of that place. My Stay will not exceed 8, or at most ten Days, and will be shortened if any Dispatches from you should be received in the Mean Time. I have the Honor etc.[59]

To COMTE DE ROCHAMBEAU

Head Quarters, June 24, 1782.

Dear Sir: At the moment of sending off the inclosed Letter to you of this same date; Your favor of the 8th. of this Month, which had been long on the way, came to hand.

Your Idea of not moving the French Troops, in our present state of anxious uncertainty, is quite coincident with mine; but it is left entirely to your Judgment to maintain or alter that opinion as you may find necessary on further consideration, or from any good reasons, which may occur from further intelligence or Information you may receive.

I have no reason to suppose that the news you have from the Flag Vessel of the evacuation of Charlestown and Savanna, is well founded; on the contrary I have every reason to imagine that the Enemy mean to hold what they at present possess.

[59] The text is from a copy by Hodijah Baylies in the *Paris Archives, Aff. Etrang., Mems. et Docs., E. U.*, vol. 6. The original, entirely in cipher in the writing of Jonathan Trumbull, jr., is in the *Rochambeau Papers* in the Library of Congress.

If you accept the proposal of an interview, I have many things to communicate which may be unsafe to trust to paper. I am etc.[60]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburgh, June 24, 1782.

Dear Sir: I am this moment setting out for Albany, and shall be absent a few days; I give you this information for the Regulation of your own conduct; and request in the mean time, you will give me any intelligence you may receive, which you shall deem of sufficient consequence for communication by Express. I am etc.[61] [MS. H. S.]

To THE PRESIDENT OF CONGRESS

Head Quarters, Newburgh, June 24, 1782.

Sir: I am much distressed at the Languor and Inertion of the several States in sending on the Recruits to the Army, which have been requested.

The inclosed Return[62] will shew the number which have been received from them to the 1st. of June. Unless greater exertions are experienced, Congress will easily perceive, that we can have but very little prospect of any serious operations this Campaign.

From all the intelligence I can obtain from New York, the Enemy continue in the same state as they have been in for some time past, no Intentions are indicated of any Detachment; strict

[60] In the writing of David Cobb. From the original in the *Rochambeau Papers* in the Library of Congress.

[61] The draft is in the writing of David Humphreys.

[62] This return, signed by Adj. Gen. Edward Hand and filed with this letter from Washington, is in the *Papers of the Continental Congress*. It shows that the total number of recruits received from January 1 to May 31, inclusive, was 1,178.

Oeconomy and renewed and increasing Discipline seem to be their present objects. I have the honor etc.

P. S. I am this Moment stepping into a Boat for Albany, to visit the Posts in that Vicinity. My Stay will be short I expect to return in 8 or 10 days.[63]

To MAJOR GENERAL WILLIAM HEATH

Poughkeepsie, June 24, 1782.

Dear Sir: Mr Benson the Attorney General of this State, who was appointed by me, and Mr. Melachton Smith[64] who was nominated by Mr Sands, have undertaken as Refferrees to settle the matters in dispute between the Army and the Contractors for furnishing the Garrison of West Point &c. These two Gentlemen are to name a third agreeably to the mode pointed out in the Contract; and are to meet on the 8th day of July next for the completion of that business. This information is given that preparation may be made accordingly. I am etc.[65] [MS.H.S.]

To COMFORT SANDS & CO.[66]

Poughkeepsie, June 24, 1782.

Sir: I think it proper to advise you, that Mr. Benson, the Attorney Genl. whom I had nominated as one of the Referrees to decide the disputes between the Army and yourself, has signified his intention to undertake that business, and has mentioned the 8th day of July as the earliest period, at which he can enter upon it. In the mean time he proposes agreeing with

[63] In the writing of Jonathan Trumbull, jr., and David Cobb.
[64] Melancton Smith, a New York merchant. He was later a member of the firm of Daniel Parker & Co.
[65] In the writing of David Humphreys.
[66] Contractors for supplying the garrison of West Point.

Mr Melanchton Smith the Referree on your part, on a third person, according to the mode of Settlement, which has been adopted. I am etc.[67]

*To BARTHOLOMEW DANDRIDGE

Head Qrs., Newburgh,[66] June 25, 1782.

Dear Sir: Mr. Lund Washington having furnished me with Copies of the Accts. with Mr. Custis, I have drawn the whole into one view and send it herewith. I could not Balle the Acct. because of the blank Articles in it; and because there may be, on Mr. Custis's books, some charges against me of which I have no knowledge. with regard to the first, I have it to you to extend the Sums in any manner you shall think just and reasonable. Mr. Custis complained heavily of, and objected to the valuation of the Stock &ca. as fixed by Colo. Bassett (as may appear by his Letters) and was answered, that it might be settled in any other way, as I wanted nothing but justice, and had no doubt of his being actuated by the same principle. The rate of Exchange between Stirling and Curry. I leave also to you to extend; as you know how this kind of business is regulated at this time, in Virginia; I do not. nor how much Curry. £100 Stirlg. will fetch. When you have settled these matters, and have ballanced the Acct. be so good as to transmit me the sevl. sums; that I may make the Copy of the Acct. (which I have kept by me) corrispond with the one sent, when the blanks filled up.

I perceive your unwillingness to undertake the Guardianship of Mr. Custis's Children; and tho' your reasons have weight in them, and some trouble must ensue consequent of

[67] The draft is in the writing of David Humphreys.

[68] Intentionally, or inadvertently, Washington dated this Newburgh, when he had already reached Poughkeepsie on his way to Albany.

the trust; I cannot help, once more, expressing my wish to see you vested with it. Indeed I know of no other in whom it can be placed with any degree of propriety; or whose situation and proximity to the Estate, and General Court, will enable him, or them to discharge the duties required with more convenience and ease. When the business of the Administration is closed, the principal trouble will be to settle annual Accts., and provide a good Steward; the last of which must, situated as the Estate is, be under your immediate eye. the advantage of which, every person who has had any thing to do with Overseers, and Plantations at a distance, must be amply convinced of.

If your conjectures of Posey be true, it will be an unfortunate circumstance indeed; and I confess, there is but too much reason to apprehend it. I conceived a bad opinion of him from the agreement I heard he had made with Mr. Custis; and it was encreased, when I came to talk with him on the subject, in my way up.

I am clearly in sentiment with you respecting the propriety of removing the Negroes and Renting the Eastern shore Estate till the Heir comes of Age; but till peace and tranquility is restored, I think it had best be rented from year to year *only*. With respect to the Annual value of it I can give no opinion; but should conceive the best mode of renting it high, will be to advertise it, not only in the Public Gazettes of Virginia and Maryland, but at the Court House of the County it is in, and the one next adjacent; desiring all Persons who incline to rent, to give in His or her proposals before a certain day, on which it will be let to those who have made the best offer previous to it.

It gives me much pleasure to hear that you, family and friends are well; pray offer my best respect to them in wch. your Sister joins, and believe me to be etc.

*To THE MAYOR, ALDERMEN, AND COMMONALTY OF ALBANY

Albany, June 27, 1782.

Gentlemen: Your congratulation on my arrival in this City I receive with pleasure and gratitude.

If in attempting to discharge those duties which every good Citizen owes to his Country, I have been so fortunate as to merit your approbation, and the good wishes and benedictions of the antient and respectable City of Albany, it will contribute not a little to my happiness.

I accept the freedom of the City with thankfulness, and shall retain a just sense of the honor done me by it.[69]

To THE SECRETARY AT WAR

Head Quarters, June 27, 1782.

Sir: Your favor of the 23d inst. has been duly received. The Commander in Chief having gone up the River to view the Posts at Albany and its vicinity; I can only observe that the alteration made in the mode of Issues will give general satisfaction, if the Issuer behaves with the least decency; As you are sensible that it is not altogether the badness of the Contract, but the mode of its execution that has heretofore given uneasiness. Colo Stewart, I have no doubt, will give peace, but I am as certain, the present Issuer would raise a mutiny in heaven. The pound of flour which was to be issued in lieu of bread,

[69] "The Freedom of the City of Albany" is in the *Washington Papers.* It is a vellum slip 13 by 2⅜ inches, signed by Mayor Abm. Ten Broeck, with the city seal pendant. The text is: "Know all men by these Presents that the Mayor and Commonalty of the City of Albany, in Consideration of his distinguished Services and exalted Merit, do by these Presents admit and receive his Excellency George Washington Esq. General and Commander in chief of the American Army &c. a Freeman and Citizen of the said City. To have and to hold use and enjoy all the Rights Liberties and Privileges granted or belonging to the said City. In Testimony whereof we have caused the public Seal of the said City to be hereunto affixed and the Name of the said Mayor subscribed this 27th. Day of June and in the sixth Year of the Independence of this State."

when there was none in Store is still delivered out at 13 ozs. for the pound, tho' I am certain it was Colo. Stewart's determination that it should be altered. The General will return in five or six days from this. I have the honor &c.[70]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, June 28, 1782.

Sir: I have just received your Letter with the inclosed intelligence from Dobbs ferry;[71] if it is true, you will have further information; and as I think there is some doubt of the certainty of it, if it is agreeable I will defer the Express 'till tomorrow afternoon.

Mr. Sands, I suppose, is the Issuer to all the Army, untill Colo Stewart makes further arrangements. I am etc.[72]

To THE MINISTERS, ELDERS, AND DEACONS OF THE REFORMED DUTCH CHURCH AT ALBANY

Albany, June 28, 1782.

Gentlemen: I am extremely happy in this opportunity of blending my public duty with my private satisfaction, by paying a due attention to the Frontiers and advanced Posts of this State, and at the same time visiting this antient and respectable City of Albany.

While I consider the approbation of the Wise and the Virtuous as the highest possible reward for my services, I beg you will be assured, Gentlemen, that I now experience the most sensible pleasure from the favorable sentiments you are pleased to express of my Conduct.

[70] The draft is in the writing of and the letter sent was signed by David Cobb.

[71] Heath's letter, dated June 28, is in the *Washington Papers*. It is indorsed by Cobb: "Supposed evacuation of Staten Island—premature."

[72] The draft is in the writing of and is signed "D. Cobb."

Your benevolent wishes and fervent prayers for my personal wellfare and felicity, demand all my gratitude. May the preservation of your civil and religious Liberties still be the care of an indulgent Providence; and may the rapid increase and universal extension of knowledge virtue and true Religion be the consequence of a speedy and honorable Peace. I am etc.[73]

To THE MAGISTRATES AND MILITARY OFFICERS OF SCHENECTADY

Schenectady, June 30, 1782.[74]

Gentlemen: I request you to accept my warmest thanks for your affectionate address.

In a cause so just and righteous as ours, we have every reason to hope the divine Providence will still continue to crown our Arms with success, and finally compel our Enemies to grant us that Peace upon equitable terms, which we so ardently desire.

May you, and the good People of this Town, in the mean time be protected from every insiduous or open foe, and may the complicated blessings of Peace soon reward your arduous Struggles for the establishment of the freedom and Independence of our common Country.[73]

To THE MINISTERS, ELDERS, AND DEACONS OF THE REFORMED DUTCH CHURCH OF SCHENECTADY

Schenectady, June 30, 1782.

Gentlemen: I sincerely thank you for your Congratulations on my arrival in this place.

[73] The draft is in the writing of David Humphreys.
[74] Washington seems to have been at Saratoga on June 29.

Whilst I join in adoring that Supreme being to whom alone can be attrebuted the signal successes of our Arms I can not but express gratitude to you, for so distinguished a testemony of your regard

May the same providence that has hitherto in so remarkable a manner Envinced the Justice of our Cause, lead us to a speedy and honorable peace; and may its attendant Blessings soon restore this once flourishing Town to its former Prosperity.[75]

To LIEUTENANT COLONEL GEORGE REID

Head Quarters, July 2, 1782.

Sir: I have been favoured with your Letter of the 23d. ulto. and have given Direction to the Qr. Master to furnish all the Materials in his power to put Fort Plain in a state of defence as well as for the Reparation of its Magazine. I am &c.[76]

To THE SECRETARY AT WAR

Head Quarters, July 3, 1782.

Dear Sir: I have to acknowledge the receipt of your several Letters of the 18th. 19th. 23d. 26th and 28th June. Your Passport to Dr Smith of the British Hospital to go to New York is agreable to me.

Upon consideration of General Greens plan, I think it the best that can be adopted, for the Troops South of Jersey, but

[75] The draft is in the writing of Benjamin Walker with a later correction by David Cobb.

[76] The draft is in the writing of Hodijah Baylies.

Washington reached Newburgh July 2.

On July 2 Washington wrote to Nicholas Quackenbas, the deputy quartermaster at Albany, of the bad state of Fort Plain and the magazine at that place. "As it is of the greatest Importance that they should be repaired, I must request you to make every possible Exertion to supply the necessary Materials." The draft of this letter is in the *Washington Papers*.

I would not have it extend to the Regiments North of Pennsylvania, while they remain so respectable as they are at present.

The non-appointment of a Judge Advocate is extremely injurious to service, and if the Adjutant Generals Department is not fixed on without further delay, we shall have no person to discharge that duty (It being now done by Courtesy) and the whole Army will be in confusion.

Colo Cortlandt informs me that by a late resolve of Congress only Ten Lieuts are to be continued in each Regiment, by which he shall loose three good Subalterns and asks if they cannot be retained doing the duty of three Ensigns which are vacant. The Official information of this Resolve not having been yet transmitted me, I could only direct him to defer doing any thing in the Matter for the present. There is scarce a Regiment in Service but what is very deficient of Ensigns, had not the Lieutenants which are intended by Congress to be deranged, better continue in lieu of new appointed ones? The expence will be much less considering they are to go out on half pay, besides it is an irksome and disagreeable business to derange the Lieutenants, and it is equally difficult to procure Ensigns, unless they are taken from the Serjeants, which rarely succeeds, a little time, and they will be reduced by Death and resignations (if no more promotions take place) below the number pointed out by the resolve without discharging any; the very act of doing which hurts even the Man who would otherwise have resigned.[77]

*To THE SUPERINTENDENT OF FINANCE

Head Quarters, Newburgh, July 3, 1782.

Sir: Upon my return from Albany [and our upper Posts] last evening, I found your two favours of the 21st and 22nd of June.

[77] The draft is in the writing of Benjamin Walker.

I have given directions to the Commissy. Genl of Prisoners, to have the amount of Money due from our Officers (who have been Prisoners of War) to Persons within the Enemy's Lines, particularly ascertained; and to transmit an abstract thereof to you as soon as may be.

Confident that the partial failure of Provisions could not be attributed to the want of performing the Contract on your part, I am the more happy to find you now call on the Contractors in so decided a tone to perform the stipulation on theirs, as they will not have any excuse to urge for their future deficiencies.

As the Contractors have mentioned in their Letter of the 17th Ulto. to you, that I had that day fixed on West Point as the Magazine of Flour for the Moving Army, I think it expedient to inform you that my principal reasons for assigning that place were, its safety, and convenience for drawing the supplies by water from thence to the Army, while stationed any where on the banks of the River; as well as to make [ample provision for the Post if it should remove to any other Quarter]; and as they were importunate to have the place appointed, before the objects and plans of the Campaign could be fully disclosed, and as the expense of transportation from the deposit I should appoint must be borne by the Public, I could not think of any other spot so eligible as that I have named; especially upon taking all the possible contingencies of the Campaign into consideration, as far as I was able.

[From the acct. of the Gentlemen themselves I clearly foresaw there was no prospect of accumulating a large Magazine, in a short time, at the place assigned them; and well knowing (as the Flour is to come from Pensylvania and Jersey) that it would always be their Interest to save the expence of transportation to West point there would be no difficulty, in case the Army should move Southerly to change the rout of the Surplusage for the Garrisons on this River to the Delaware I could

not as I have before observd with a view to the public Interest name any place so properly as West point in my present state of suspense.]

The Secry at War has given information that you have agreed to the system of Issues proposed by me, which at his request, hath been carried into execution during my absence. I have the honor &c.[78]

To COLONEL PHILIP VAN CORTLANDT

Head Quarters, Newburgh, July 3, 1782.

Sir: I have been favored with your Letter of the 27th. ulto.

The late Resolution of Congress deranging three Lieuts. from each Regt. I have not received officially, and therefore do not think myself at liberty to put it in execution; the Regts. will remain as they are at present, 'till further information is received from the Secrety at War.

On your Application the Q. Master will deliver Tents for your Regts. which may be encamped on any convenient place near your present position. I am etc.[79]

To LIEUTENANT COLONEL HENRY BROCKHOLST LIVINGSTON

Head Quarters, Newburgh, July 3, 1782.

Sir: I have had the pleasure to receive your favor of the 16th. of June, with the enclosures.

I am much pleased with the narration you have given me of the part you acted while a prisoner in New York; and cannot conceive there was any impropriety in your giving a Parole as

[78] The draft is in the writing of David Humphreys. The portions in brackets are in the writing of Washington.

[79] The draft is in the writing of David Cobb.

a Lt Col in the Army, at a time when you had the commission in your pocket and could not be acquainted with the Resolves of Congress of the 31 of December 1781 and 21 Janry 82. Under these circumstances, I should suppose you ought to be considered and exchanged as such; but in the mean time I think it would be proper to report the Matter to the Secry at War, and likewise take his opinion thereon. I am etc.[80]

To GOVERNOR JONATHAN TRUMBULL

Head Quarters, July 3, 1782.

Sir: I am honored with your Excellency's Letter of the 21st of June.

Captain Johnson,[81] who was the Bearer of it, had permission granted to him to go to the Enemy's Lines for the purpose of carrying money to the prisoners.[82]

That your Excellency may be fully informed on what footing the Exchange of naval prisoners now stands, I have directed the Commissary of prisoners to report to you, what he has done in that Business.

Not having any Agency in the Exchange of naval prisoners, I cannot give the Directions your Excellency requests; and indeed was this not the case, I should be extreamly unwilling to give any Sanction to partial Exchanges, it having been always my Opinion that this Business should be conducted on a more general Scale; the irregular and partial Mode has been adopted has been pregnant with Many Evils. I have the Honor etc.

July 30, 1782.

Sir: The foregoing was put into the post Office agreeable to its Date, to be conveyed to your Excellency, but thro' the

[80] The draft is in the writing of David Humphreys.

[81] Capt. Edward Johnson.

[82] Connecticut naval prisoners. The draft of Captain Johnson's passport dated June 27, 1782, is in the *Washington Papers*.

Inattention of the post master was made up in the Southern Mail. And on its return from Philadelphia by the Eastern post, was captured with his Mail and carried into N York, which forms a Necessity of transmitting this Duplicate. With great Regard etc.[83]

To GOVERNOR WILLIAM LIVINGSTON

Head Quarters, Newburgh, July 3, 1782.

Sir: From the inclosed information of Captain Stevens, there is reason to apprehend, the business of driving Cattle to the Enemy is carrying on with great art and assiduity; it would be a happy circumstance if the Villains concerned in it could be detected; I have therefore to propose to your Excellency that you will be pleased to take such precautions as you shall judge best calculated to learn whether any such Cattle are passing in droves or small parcels (for they may be divided on the road) to the Enemy.

If you should hear of them before they turn off towards New York, I think it would be adviseable to employ some trusty Man or Men to dog and follow them privately until the fact is ascertained, otherwise it is to be feared, no positive proofs of the intention of the People engaged in this infamous trade can be obtained.

I sincerely wish every practicable plan may be attempted for seizing the cattle and apprehending and bringing to condign punishment the Men; as this would tend essentially to frustrate the insidious Schemes of our Enemies as well as deter their other Agents from similar practices. I am &c.[84]

[83] In the writing of Jonathan Trumbull, jr. From the original in the Connecticut State Library.

[84] The draft is in the writing of David Humphreys. The same letter was sent to Brig. Gen. Elias Dayton and to Lieut. Col. Philip Van Cortlandt, changing, of course, the phrase "I have therefore to propose to your Excellency that you will be pleased to take" to "I have therefore to request you will take."

GENERAL ORDERS

Head Quarters, Newburgh, Wednesday, July 3, 1782.

Parole ———. Countersigns ———.

The honorable the Congress have been pleased to pass the following Resolve:

In Congress, April 23d, 1782.

Resolved, That all sick and wounded soldiers of the armies of the United States, who shall in future be reported by the inspector general, or the inspector of a seperate department, and approved by the Commander in Chief, or commanding officer of a seperate department, as unfit for farther duty, either in the field or in garrison, and who apply for a discharge in preference to being placed or continued in the corps of invalids, shall be discharged, and entitled to receive as a pension five dollars per month, in lieu of all pay and emoluments.

Resolved, That it be, and is, hereby recommended to the several states to discharge such pensions annually, and draw on the superindant of finance for the payment of the money.

In order to prevent unwarrantable and fruitless Applications in consequence of the foregoing Resolve, the Commander in Chief informs the Army that those men only who have been maimed, or who have actually contracted infirmities in the service of the United States will be admitted to the benifit of the Pension which Congress have been pleased to grant to discharged Invalids.

Tomorrow being the Anniversary of the Declaration of the Independence of the United States of America, the Commander in Chief is pleased to order that the remembrance of that auspicious Event shall be Celebrated by a Fue de joye. The Adjutant General will communicate the necessary Directions, the Army is to be served with an Extra gill of Rum per man on the Joyful Occasion.

On July 3 Cobb acknowledged Mrs. Rachel Holly's letter of June 21 from New Haven and stated that Washington had no objection to her visiting her son, who was a prisoner in New York, "if permission is obtained from Govr. Trumbull" and that she enters New York by way of Dobbs Ferry.

GENERAL ORDERS

Head Quarters, Newburgh, Thursday, July 4, 1782.

Parole ———. Countersigns ———.

It is with no small degree of astonishment the Commander in Chief has heard, since his return from the Northern Posts that the issuers of Provisions to the Army still give a short allowance of flour when they do not issue bread. The continuance of this practice is not less unacountable than it is astonishing after Mr. Sands's acknowledgiment in his presence to the Secretary at War that it was well understood at the time of Contracting that where bread cou'd not or was not delivered a full pound of flour was to be issued in lieu of it, the General in possitive terms orders that this shall be the case invariably, and that the ration of spiritt where it is not commuted by mutual agreement be regularly served; also Vinigar agreeably to the engagements which the Contractors have entered into with the Public.

All returns for Arms, Accoutrements and Ammunition are to be countersigned by the Inspector General, or the Inspector of this Army. Returns for six days Oats for all the riding Horses of the Army to be sent to the Forage Magazines at Newburgh Tomorrow. Bags are to be sent and the Brigade Forage Masters to attend the drawing.

To prevent the accidental communication of fire to the powder Magazines which would endanger the lives of many persons and total demolition of the fortifications, besides the inconvenience that must arise from the loss of the Powder, the Commander in Chief directs that the Quarter Master or Commissary of Military stores may as soon as possible have grates fixed to the air holes of the Magazines and that Lantherns made of Transparent horn or Glass be immediately provided

instead of those made of pierced tin which are at present very imprudently used. Untill the horn or glass lantherns are provided the greatest care is to be taken not to open the door of the lantherns in the Magazines, and at all times to have water in the bottom to extinguish sparks. It is moreover positively ordered that no person whatever be permitted to enter a Powder Magazine without first pulling off his shoes.

The General having observed inconveniency and loss of Ammunition to attend the practice of carrying Cartridges loose or in bundles in the men's pocketts or in the bottoms of their Cartridge boxes, directs that the troops carry about them no more ammunition than the number of cartridges their boxes are pierced for, in general twenty Nine rounds, except when parties or Corps are ordered on a particular service detached from their Ammunition Waggons. He persuades himself this rule will not be attended with any bad consequence as men cannot be considered unprovided with Ammunition when the Conductor has a sufficiency in Camp ready to issue at a moments warning.

The Brigade Conductors, and Quarter Masters of Corps that have not Conductors are hereby called on to pay due attention to the instructions laid down in the regulations for the order and Discipline of the troops (Page 120 and 121) on this subject proportioning the quantity of spare Ammunition to the number of Men to be supplied.

The first Massachusetts Brigade will be inspected and mustered for the month of June the 10th. instant; the second Massachusetts Brigade the 12th; the 3d Massachusetts Brigade the 14th; and the 10th. regiment of Massachusetts the 15th. instant. The first Connecticut Brigade the 16th, the second Connecticut Brigade the 18th, and the third or Massachusetts regiment of Artillery and the Corps of Sappers and Miners the 20th. instant.

To LIEUTENANT COLONEL ROBERT COCHRAN

Head Quarters, July 4, 1782.

Sir: I am informed that some uneasiness has arisen from a late Regimental order issued by you, requiring the Surgeon and Mate of the Regiment you Command to attend the Parade at every Roll Call and to Post themselves in a line with the Company Officers, on the right of the Batallion.

It is certainly right in you, Sir, as Commanding Officer of the Regiment to see that those Gentlemen are always at hand to attend to the duties of their Office, nor can it admit of a doubt, that you have a right to order their attendance on the Parade whenever you may think their presence there necessary; but as it has not been the Custom in our Army for them to attend and take post at Roll Calls with the Company Officers and as it is not necessary to the Service the introducing that custom now can answer no good purpose and may be productive of disputes. Viewing it therefore in this light I think it will be best not to insist on it in your Regiment. I am &c.[85]

To SIR GUY CARLETON

Head Quarters, July 4, 1782.

Sir: Agreeably to your Excellency's favor of the 23d of May last, I have now the honor to inclose to you Returns of such of the Inhabitants of South Carolina, as have been removed from thence by Order of the British Officers commanding in that Department, and who now wish to return to the place specified in the Enclosures. I have the honor etc.[86]

[85] The draft is in the writing of Benjamin Walker.
[86] The draft is in the writing of David Humphreys.

To ABRAHAM SKINNER

Head Quarters, Newburgh, July 4, 1782.

Sir: The Superintendant of Finance hath informed me, "that several of our Officers have left behind them in New York considerable sums of Money unpaid, which had been advanced to them while they were prisoners. The humanity of those who have made such advances; as well as the principles of Justice, require that they should be repaid." In consequence of the foregoing information, and at the request of the Financier, you will take immediate measures to have the amount of those Debts particularly ascertained; and if you shall find it necessary you will proceed without delay to the British Lines for the purpose. I am etc.[87]

To BRIGADIER GENERAL ELIAS DAYTON

Head Quarters, July 5, 1782.

Sir: I have received a Letter of the 1st. Instant from Captain Dayton, informing me that Lt. McDonald[88] of the 71st. British had come from the Enemy. Many reasons may be alledged to justify the Desertion of a Private Soldier, but such a Conduct in an Officer cannot but impress a very unfavorable opinion of his Character. Experience has proved that I am right in my suspicions of such People, and therefore I wish them always removed as soon as possible from every part of the Army or indeed any other place where they can do any Mischief.

As he will not be suffered to come here he will probably go to Philadelphia; should that be the case, it will not be amiss to

[87] The draft is in the writing of David Humphreys.

[88] Lieut. Angus McDonald, of the Seventy-first Foot, British Army.

drop a line to the Secy at War that such a Character is gone on, that he may have an Opportunity of watching his Conduct in that place. I am &c.[89]

To CAPTAIN JOHN PRAY

Head Quarters, Newburgh, July 5, 1782.

Sir: I have learnt by accident, that there may probably arise some difficulty in the command at Dobbs Ferry, unless an early measure is taken to prevent it.

You cannot be ignorant, Sir, that when two Officers come in contact in the course of service, the senior must always command. And you will please to understand that your being entrusted with the immediate command of the Water Guard, (with which, as to its internal regulation and duties the Commanding Officer of the Post has not I presume attempted to interfere) could not exempt you from the general direction of the Officer Commanding at the Post. But I consider it entirely unnecessary to point out your particular line of duty, as I am persuaded your knowledge of Military Order and subordination, and Zeal for the service will prevent my hearing any thing Officially on the subject; than which nothing could be more irksome. I am etc.[90]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburgh, July 7, 1782.

Dear Sir: Mr. Benson and Mr. Smith have nominated Judge Hobart[91] as a third person to determine with them the Disputes between the Army and the Contractors. The Gentlemen will

[89] The draft is in the writing of Benjamin Walker.
[90] The draft is in the writing of David Humphreys.
[91] Egbert Benson, Melancton Smith, and John Sloss Hobart.

attend to the Business on Wednesday next, and wish it may be accomplished at Poughkeepsie as that place will be much more convenient to them than any other; but if it should appear necessary that a large Number of Witnesses must attend from the Army, they will forego their own Convenience for the Sake of accommodating those concerned, by meeting at Fish Kill. As this is a Matter of Delicacy on their part, I could wish the Gentlemen, who have undertaken to settle the Disputes, may not be put to more Trouble than is absolutely necessary. I am etc.

P. S. It will be proper for a Gentleman from the Army to go to Poughkeepsie on Wednesday next, where the Referees will assemble that Day, in Order to fix upon the place and mode of proceedings.[92] [MS. H. S.]

*To MAJOR GENERAL WILLIAM SMALLWOOD

Head Qrs. Newbg, July 8, 1782.

Dr. Sir: Altho' the Levies of Maryland are considered as part of the Southern Army, and you an Officer under the immediate Orders of Major Genl. Greene It is my wish, nevertheless, to receive regular reports of the Progress you make in the recruiting Service, and every other matter and thing relative to your Command; without these reports I am unacquaintd with my own strength, and do not know how to make that disposition

[92] The draft is in the writing of Hodijah Baylies.

On July 7 Washington wrote to Maj. Theodore Woodbridge: "Capt. Pray has been wrote to on the subject of his Command, which I hope will remove your present discontents. Your Letter shall be particularly answered by the next oppertunity." This draft is in the *Washington Papers.*

In the museum of Independence Hall, Philadelphia, is a brief note in the writing of Washington, dated July 7, 1782, to an unknown officer (possibly Brig. Gen. James Clinton), introducing Francisco Rendon, John Holker, and a Mr. Terresson, who wished to visit the Saratoga battlefields. "I desire you will give them such guards, or dispose the Troops . . . to give them security in their jaunt."

of the troops which may be adjudged necessary and which the good of the Service shall require.

You will be pleased therefore and as the Plan of Campaign must speedily be determined on to give me a return of your Troops, the appointment of them, how Armed, Cloathed &ca. I am etc.

GENERAL ORDERS

Head Quarters, Newburgh, Monday, July 8, 1782.

Parole ———. Countersigns ———.

That the invalid regiment may be enabled to keep up the Detached guards lately assigned them, the men of that Corps on duty at West Point except such as are necessarily imployed as Artificers are immediately to be relieved.

*To COLONEL SAMUEL MILES

Head Qrs. Newburgh, July 8, 1782.

Sir: By the receipt of a Mr. White your Assistant

2 Tureens
2 Sallid Dishes.
29 Dishes of difft. Sizes
5 dozn. and 7 Plates: shallow
2 doz. and 10 Soup Do., and
8 Salts

Were left in his care to be sent to me when ordered; but in lieu thereof, consequent of the Order, I have received the following.

2 Turens
8 Dishes
2 Doz. and 10 Shallow Plates
3 Doz and 7 Soup Do. 9 more than were left and
6 Salts.

The deficiency I expect to receive by the first oppertunity, if they are not already on their way. Only two Plates were found broken in the Package that came to hand. I am etc. [H.S.P.]

To THE PRESIDENT OF CONGRESS

Head Quarters, Newburgh, July 9, 1782.

Sir: Having found a moment's leisure to examine myself into the situation of affairs on the frontiers of this State, I have lately made a journey up the Hudson and Mohawk Rivers as far as Saratoga and Schenectady. Just before my arrival there, a Party of three or four hundred of the Enemy consisting of British, Refugees, and Savages had made an incursion down the Mowhawk, attacked, and captured (after a gallant defence) a small guard of Continental Troops, who were stationed at the only remaining Mill in the upper settlements, which they also destroyed.

By a deserter from this Party, we are informed that the Enemy are taking post at Oswego, and are either rebuilding the Old, or erecting new fortifications there. Whatever the design of the Enemy may be by thus occupying a new post, and extending themselves on our frontier, I consider it my duty to inform Congress thereof, and have, for that purpose, taken the liberty to forward this by the first safe conveyance, since my return from the Northward.

I have the honor to inclose to your Excellency Copies and Extracts of sundry Letters[93] which have lately passed between the British Commanders in Chief and myself. The subjects contained in them being principally of a civil Nature, I must

[93] The copies and extracts inclosed with this letter were: Robertson to Washington, May 1; Washington to Robertson, May 4; Washington to Carleton, June 10; Governor Livingston to Washington, May 14; Brearley to Livingston, May 13; Carleton to Washington, June 20; Washington to Carleton, June 22.

beg leave to submit them to the consideration and direction of Congress. I think it only necessary to remark, that notwithstanding the plausibility of the terms on which Sir Guy Carleton proposes the exchange of American Seamen for British Soldiers in his Letter of the 7th Inst. it must still be obvious, that it would amount to nearly the same thing to have the Prisoners so exchanged employed against our Allies in the West Indies, as it would to have them acting against ourselves on the Continent. I have the honor etc.[94]

GENERAL ORDERS

Head Quarters, Newburgh, Tuesday, July 9, 1782.

Parole ———. Countersigns ———.

By a General Court Martial of which Colonel Butler is President, Lieutenant Crocker Sampson[95] of the 7th Massachusetts regimt. was tried on the following charges viz: first. "For being absent from his Company (being the only Officer in it) when it was ordered to parade and march to the Colonnade for inspection. 2dly. "For being absent from roll-call this morning (June 7th.), thirdly "for taking a soldier from the regiment with him into the Country when he Lt. Sampson had leave of absence two days and keeping him that period, (that is from the 24th. to the 26th. day of May last.) without the consent of the Commanding Officer of the regiment.

The Court are of opinion that Lieutenant Sampson is guilty of the first and second charges in breach of Article 4th. sect. 13th. of the Articles of war for which they do sentence him to be reprimanded in General orders. The Court are of opinion the third Charge is not supported and do acquit him of it.

[94] In the writing of David Humphreys. The letter was read in Congress on July 15 and referred to John Witherspoon, James Madison, and John Rutledge.

[95] He served to June, 1783.

The General approves the sentence and is extremely sorry to find when officers of all ranks appear to be vying with each other in attention to duty and every military virtue there should be a single exception from such a laudible line of conduct.

Lieutenant Sampson is released from his Arrest.

Amos Bennett of the 1st. Connecticutt regiment was tried by the above court for "repeated desertion and going to Long island and joining the enemy" found guilty of repeated desertion and going to Long island and sentenced therefor to suffer Death. The Court are of opinion that part of the charge of the prisoners going to the Enemy is not supported and do acquit him of it.

The Commander in chief approves the sentence.

*To JAMES DUANE

Head Qrs., July 9, 1782.

Dear Sir: Baron de Steuben, who will have the honor of presenting this Letter to you, feeling himself in a disagreeable situation, has made a representation of it to Congress, in expectation that that Honble. Body will releive him from present distress, and place him, especially with respect to half pay, upon a more permanent footing than the thing appears to be with him at present, having no State to resort to (being a Foreigner) as other Officers have.

The Barons representation is full, and will speak for itself; I have only to add therefore that, the United States are exceedingly indebted to him for the advantages which they have derived from his Zeal abilities and experience and that I should be happy to see him satisfied as far as it can be done consistent with public justice beyond which I perswade myself he has no aim. With great esteem etc.[96]

[96] This letter was addressed to Duane and "also to Colo. Bland."

To MAJOR GENERAL NATHANAEL GREENE

Head Quarters, Newburgh, July 9, 1782.

My dear Sir: Your Letter of the 22 of April also your two favors of the 19th of May, with the Returns of the Army under your command, have been duly received; but having been in momently expectation *that intelligence would arrive from Europe, or some other event turn up, which might disclose the intentions of the Enemy, and give a clue for the final determination of the Operations of the Campaign,* I have delayed for a few days, giving you my answer. Notwithstanding *I am at this hour as much in the dark as ever,* I can defer no longer the pleasure I always experience from indulging myself in a free communication and interchange of sentiments with you. To participate and divide our feelings, hopes, fears, and expectations with a friend, is almost the only source of pleasure and consolation left us, *in the present languid and unpromising state of our affairs.*

It gives me infinite satisfaction to find that by your prudence and decision, you have put a period to the progress of a dangerous Mutiny; and by your example of patience and firmness reclaimed the Army amidst all their aggravated sufferings to that good disposition, which it has been your great merit to preserve in your command, through the Worst of times. *Their distresses are truly deplorable;* and while the almost insurmountable difficulty of transporting Cloathing and the smaller Supplies (which General St Clair reports are still detained on the road for want of the means of conveyance) gives me the most sensible pain and anxiety; *it but too clearly proves the impracticability of removing by land, under our present prospects of Finance,* the Artillery of Seige and immence quantity of Stores necessary *for a serious operation against Charles Town.*

The disastrous event of the naval action in the West Indies may indeed, and probably will now give a total alteration to the complexion of the Campaign: this will in all human probability operate more than any other circumstance *against the Evacuation of the Southern States;* for what would have before been a very hazardous line of conduct, and would have exposed the Enemy to a fatal blow *in case of a naval co-operation on this Coast,* may now be considered as a rational and prudent measure on their part. But the mode of defensive War (which the Enemy affect to have adopted, in which I would however place but very little confidence) and especially the detachment from Charles Town, which must have weakened them considerably; will I hope enable you, in all events to hold your own ground, untill the Southern and Middle States shall have made some efforts for your reinforcement; *and untill the pecuniary affairs of the Continent in general shall be put in a better situation;* some little I flatter myself will be done, although I must confess my expectations for the Campaign are not very sanguine. I feel with you, my dear friend, *all the regret and mortification, that can possibly be conceived,* from a consideration that we shall be able to *avail ourselves so imperfectly* of the weakness and embarrassments of our Enemy. While on the other hand, I think there is reason to apprehend from some late indications the Enemy have given, by taking Post at Oswego and extending themselves on the frontier, that they Mean, availing themselves of our languor and looking forward to the hour of pacification, to occupy as much territory as they are able to do, before a negotiation shall be entered upon. I wish we may be in a capacity to counteract their designs.

I have given my opinion to Congress through the Secry at War, that it will be adviseable to make a permanent incorporation of all the Troops southward of the Delaware in the

manner you propose; but as the observations did not apply to the other Troops, these Regts ought to remain on their present Establishment.

As to the movement and disposition of the french Army, I will tell you exactly my idea and plan respecting it, and how the matter now rests. While we continued in the state *of uncertainty which has so long perplexed and prevented us from forming any projects whatever;* I wished to have the Corps of the Count de Rochambeau remain in a situation equally capable of looking either way as circumstances might eventually require; being well persuaded in my own mind, that with their assistance (*without the aid of a Naval force*) *we should not, at this time be able to do any thing effectual against New York defended by its present Garrison;* and presuming *still greater difficulties would oppose themselves to an attempt against Charles Town,* I proposed to postpone my final resolution *untill we should hear from the other side of the Atlantic.* For allowing your Army in conjunction with the french Troops to be compleatly competent to the object, *the transportation by land of heavy Artillery, Stores and Apparatus appeared to me an inevitable obstacle;* which I have fully explained in my letter of the 23d of April last. Besides the diminution of an Army in so long a March, and the innumerable advantages the Enemy must derive from the command of the Water, were considerations with me. And as I flattered myself we might be able to keep the Enemy in check with our present force, both in the Northern and Southern Departments; I therefore thought it expedient, *that the select Corps of our Allies in Virginia should continue unimpaired as a Corps de Reserve* in that State, untill new information or circumstances should produce New Orders from me; unless *the Count de Rochambeau* should first be apprized of some contingence or event, which should render a

movement, *in his opinion proper;* in which case the matter was left *to his determination.* I have this moment learnt from his Excellency the Minister of France *that the Count has already commenced his March Northward;* what circumstances have led to this, I am unable to say; but expect *to see the Count* himself in a few days (*by appointment*) *at Philadelphia,* where it is proposed to enter into a discussion of the possible objects and views of the Campaign, so far as our general and imperfect knowledge of affairs will admit, and from whence I shall have the pleasure to inform you of any thing of Moment, that may in the mean time take place, or ultimately be in contemplation.

Under an idea, *that the french Troops would* certainly be *withdrawn from Virginia* at some moment of the Campaign and perhaps unexpectedly, I have long since *written to Govr Harrison* on that subject, and requested that a body of Men might be in readiness *for the defence of the state* on that occasion. Indeed I have written almost incessantly to all the States, urging, in the most forcible terms I could make use of, the absolute necessity *of complying with the Requisitions of Congress in furnishing their Contingents of Men and Money* and am *unhappy to say the success of these applications have not been equal to my expectation.*

I am happy to assure you there was no foundation for the report of my having had a narrow escape in passing the Clove. In return we have had a similar account respecting yourself, which I hope was equally groundless. Believe me, My dear Sir, I shall always consider myself deeply interested in whatever concerns you; and shall ever rejoice at your health, safety and felicity.

Mrs. Washington, who is just setting out for Virginia joins me in her most affectionate regards to Mrs Greene and yourself. I am etc.

P. S. Although the Campaign does not promise much activity, Yet I shall wish you to keep me as regularly and accurately informed of the state of your Department as possible, noting the strength, movements and position of your own Army, and that of the Enemy; it may also be essential for me to be made acquainted with the Resources of the Country and every thing of a Military or Political Nature, which may be interesting to our future plans and operations.[97]

To BARON STEUBEN

Head Quarters, July 9, 1782.

Sir: In answer to your Letter of yesterday date containing the following queries.

"Is the Department of Inspector General necessary in the Army, or is it not?" "Has this Department been conducted during the Course of five years agreable to your wishes, and have the consequences resulting from my exertions as Chief of the Department answered your Expectation?"

I give it as my clear Opinion that it has been of the utmost utility and continues to be of the greatest importance for reasons too plain and obvious to stand in need of enumeration; but more especially for having Established one uniform System of Manœuvres and regulations in an Army composed of the Troops of thirteen States (each having its local prejudices) and subject to constant interruptions and deviations from the frequent changes and dissolutions it has undergone.

It is Equally Just to declare that the Department under your auspices has been conducted with an intelligence, activity and Zeal not less beneficial to the Public than honorary to yourself

[97] The draft is in the writing of David Humphreys; the parts in italics were so marked for putting into cipher in the letter sent.

and that I have had abundant reason to be satisfied with your abilities and attention to the duties of your Office during the four Years you have been in the Service. I have the honour etc.[98]

To EGBERT BENSON, MELANCTON SMITH, AND JOHN SLOSS HOBART

Head Quarters, Newburgh, July 9, 1782.

Gentlemen: I have the honor to transmit to you a Copy of the contract for supplying the garrison of West point and its dependencies, also the hospital contract; together with the charges exhibited by the officers of the army against Comfort Sands Esqr. & Co. respecting the execution of those contracts; with sundry other papers relative to the same subject: and have to request of you, Gentlemen, that you will be pleased to examine into the matters in dispute in such time, place and manner as you shall deem proper, and report your Opinion thereon as soon as convenient. I have the honor etc.

P. S. I will thank you Gentlemen for the return of the papers committed to you, with your report.[99]

To CHEVALIER DE LA LUZERNE

Head Quarters, Newburgh, July 9, 1782.

Sir: I am much obliged to your Excellency for your two favours of the 28th. of June, and 3d. of July, which I have had the honor to receive, since my return from the frontiers of this State, where I have been in company with Governor Clinton, to visit and regulate my advanced Posts.

[98] The draft is in the writing of Benjamin Walker.

[99] In the writing of Hodijah Baylies; the P.S. is in the draft, but not in the letter sent.

As the business of the Army had accumulated greatly in my absence, and as I am exceedingly occupied in making some arrangements, and putting the affairs of this Department in such train, as that I may commence my Journey to Philadelphia,[1] the moment I shall receive the necessary information from the Count de Rochambeau; I beg you will excuse my writing in such haste, and believe that, I am etc.

PS. Your Excellys. private letter of the 20th. of June[2] I also found at this place upon my return from Albany. I thank you for the Communication; the Contents shall remain with me *alone*.[3]

To BRIGADIER GENERAL OTHO HOLLAND WILLIAMS

Head Quarters, July 9, 1782.

Sir: I am favord with your polite Letter of the 2d. Inst. It would have given me great pleasure to have had the opportunity of congratulating you personally on your late Promotion, but your business not permitting that, I am happy in this Opportunity of doing it, at the same time assuring you that your Merit more than any Interest of mine influenced Congress in your favor.

I sincerely hope your applications to the Legislature in behalf of the Sick and Wounded Soldiery of your Line may have been attended with Success; nothing surely could be wanting to excite the gratitude of the People, but the bare mention of their distress.

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[1] See Washington's letter to Maj. Gen. William Heath, July 11, 1782, *post*.

[2] This letter informed of the possibility of the arrival of De Vaudreuil and the whole French fleet on the American coast in July or August. Luzerne's letter is in the *Washington Papers*.

[3] In the writing of David Humphreys; the P. S. is in that of Washington. From the original in the *Paris Archives, Aff. Etrang., Mems. et Docs., E. U.*, vol. 6.

Tho' the present inactive State of Affairs does not render your presence here necessary; should circumstances change I shall be very happy in availing myself of them [if I can do it with propriety] and in the mean time I remain etc.[4]

To MAJOR GENERAL JAMES MITCHELL VARNUM[5]

Head Quarters, July 10, 1782.

Sir: Colonel Olney delivered me your favor of the 23 June. I am much indebted to that Gentleman for his close attention to the good of Service whilst in your State. He has certainly proved himself a valuable Officer.

Though your State has not fully complied with the desires of Congress, some credit is due them for what they have done: I am sorry I cannot say so much of the other States, but tho' the conduct of the people at large is truly alarming, I cannot consent to view our situation in that distrest light in which you seem to do. I still hope that some fortunate Crisis will arrive, when those destructive passions, which I confess too generally pervade all Ranks, shall give place to that love of Freedom which first animated us in this contest.

From the Deposition you inclosed me, it appears, that the negro was hired for three Years, and the person who hired him took the Bounty and sent him to the Army. If his Term of Service in the Army is not longer than that for which he was hired I do not see that the owner of the negro suffers by it; at all events it would be an injustice to the Country to discharge a

[4] The draft is in the writing of Benjamin Walker. The phrase in brackets is in the writing of Washington.

On July 9 Washington wrote Maj. Gen. William Heath a brief note that the two French deserters, who had been sent on by Massachusetts, as recruits, could be attached to one of the regiments, as Marbois consents, "untill they are demanded." This letter is in the Massachusetts Historical Society.

[5] Of the Rhode Island Militia.

Man who it appears has cost them three hundred Dollars. If the sending him was illegal, recourse should be had against the Class that sent him, and they should be obliged to furnish another Man in his place, without which he cannot be discharged. I am &c.[6]

To THE SECRETARY AT WAR

Head Quarters, July 10, 1782.

Sir: I do myself the honor to transmit you, Copy of a Letter I have received from Brigadier General Glover, which you will observe he desires may be submitted to Congress.

Was I to give my Opinion on this matter, it would be that his request should be complied with, for I think it pretty evident that the Country will reap very little benefit from any future services from him; his Age and Infirmities are such, that he will ever be absent from the Army, and therefore, if he is not permitted to retire on half pay, he must either be dismissed (which I dare say no one will think just) or he will receive the full pay and Emoluments of his rank without rendering any Service.

The same reasons urge me to recommend that General Parsons may also be permitted to retire, his situation is exactly similar to General Glover's, and the same provision must, I should suppose, be made for both. Whatever may be the determination of Congress on this matter, I beg you to make me acquainted with it.[7] I am etc.[8]

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[6] The draft is in the writing of Benjamin Walker.

[7] The same day (July 10) Washington wrote to General Glover that he had "forwarded a Copy of your Letter with the corroborating Evidence of the physicians, to the Secretary at War, and recommended a Compliance with Your Desire. That you may soon be restored to your former State of Health is the sincere Wish of Etc." A draft of this letter is in the *Washington Papers*.

On July 30, in brief identical notes, Washington forwarded to Glover and Parsons the resolution of Congress (July 22) retiring them from service. This draft is in the *Washington Papers*.

[8] In the writing of Benjamin Walker, in the *Papers of the Continental Congress*, no. 152, vol. X, fol. 599.

To BRIGADIER GENERAL WILLIAM IRVINE

Head Quarters, Newburgh, July 10, 1782.

Sir: I have been favoured with your Letter of the 16th. June,[9] apprizing me of the Disaster that befel the Militia at Sandusky.[10] I am persuaded you did every thing in your power to insure them Success. I cannot but regret the Misfortune and more especially for the Loss of Colo. Crawford, for whom I had a very great Regard. I am etc.[11]

To LIEUTENANT COLONEL GEORGE REID

Head Quarters, Newburgh, July 10, 1782.

Dear Sir: I am favored this moment, with your Letter of the 2d. Inst. The intelligence communicated therein appears to me to be vague and not perfectly founded; it ought however to have so much influence upon our conduct as to excite unusual vigilance and preparation in order to baffle any of the barbarous designs of the Enemy should they attempt to carry them into execution. For my own part, I am more apprehensive for the safety of the Country on the Mowhawk River than for any other part of the frontier; because I think from circumstances, the principal effort (should there be any invasion) would be made against it, and therefore it seems to me, that withdrawing the Companies of State Troops from Saratoga and that Quarter (where they cannot be very necessary) and extending them together with the other Levies on the frontier of the Mowhawk, and at the same time concentring your Regt to the neighbourhood of the place you mention, would be a judicious plan; 'tho

[9] Irvine's letter with its inclosures is in the *Washington Papers*. Another letter from him (July 11), telling the story of the torture of Colonel Crawford by the Indians, is in the *Washington Papers*.

[10] Ohio.

[11] The draft is in the writing of Hodijah Baylies.

I do not pretend to be myself sufficiently acquainted with the local situation, to determine with absolute certainty on the expediency of this disposition, it will, in my opinion, be adviseable to consult and arrange this matter with Colo Willet, who is particularly well informed of the Geography of the Country. Any little dispute about Rank or command, I am persuaded will not, on such an occasion, or any other where the public good is concerned, intervene to prevent your consulting and acting together for the promotion of the service. These disputes, as I before observed, may be determined whenever the claims and documents of both parties are handed in.

If there are any public Boats at Albany, I have no objection to your having some of them got up the Mowhawk. Of the other Articles you are in want, there should be a specific Return made to the Quartr Mastr. that he may furnish in proportion to your necessities, and the stock on hand.

As to Cartridge Boxes for the Levies, it will be impossible to supply them from the public Store; because we have not more than are absolutely necessary for our troops; the best substitute that can be devised, must therefore be made use of; and I have a confidence, that you and the other Officers commanding on the frontiers will Oeconomize the means in your possession to the best advantage; and exert all your zeal and activity in the public service. I am etc.[12]

*To LIEUTENANT COLONEL WILLIAM STEPHENS SMITH

Head Q[uarters, July 10, 1782.]

Dear Sir: The inclosed (one for yourself and the other for Major Clarkson) comes in consequence of Generl Knox's

[12] The draft is in the writing of David Humphreys.

application. To give you such Letters, was my first intention; but not knowing who was to command the Forces destined for the Invasion of Jamaica, I had resort to the Certificates with which you were furnished; conceiving it would appear odd to write, and not be able to direct. Or to direct to the General otherwise than by name.

The direction is now left to yourself when the knowledge is obtained. You have, both, my best wishes, and I am etc.[13]

To COLONELS HUGH HUGHES, HENRY E. LUTTERLOH, AND MAJOR THOMAS COGSWELL

Head Quarters, Newburgh, July 10, 1782.

Gentlemen: The Commander in Chief sensible of the immense importance of preserving the Horses and Teams of the Army in good condition for service through the Campaign, and considering that the movements, supplies and success of an Army frequently depend on this Article alone, hath commanded me to request, from you Gentlemen in writing, a joint Report on the following Points, viz What number of Horses and Teams have arrived, What number more are expected, when, and from whence? In what condition are they? where disposed of, or how employed?

How, or by what means are they now supplied with forage? What are the prospects of the Campaign in this article? In case of deficiency of Money, and public supplies, what provision is made by the laws of this state for furnishing Grass, or any other species of Forage?

His Excellency directs, besides the report on the forementioned Questions, that you do also as soon as may be, give in an Estimate of the quantity of forage necessary for this Army,

[13] From a photostat of the original kindly furnished by E. F. Bonaventure, of New York City.

together with your sentiments of the *best practicable Plan* under our circumstances, for keeping up the supply, particularly of *pasturage,* through the Campaign.

The General is the rather induced to give this order, at this time, in so explicit a manner; that, if the present means are not adequate to the object, Measures may be taken while the Legislature is sitting, to prevent the public Cattle from suffering and the service from being essentially injured on the one hand; as well as to supersede the necessity of an arbitrary seizure of private property (without compensation) for their subsistence, on the other. I am etc.[14]

*To CAPTAIN GEORGE JAMES LUDLOW[15]

Head Quarters, July 10, 1782.

Sir: The Inclosed came under cover to me; I shall be happy when oppertunities offer to shew you Civilities. I have the honor etc.

To GOVERNOR WILLIAM GREENE

Head Quarters, Newburgh, July 10, 1782.

Sir: I think it necessary to communicate to your Excellency, the following remarks of the Inspector General, which are annexed to the last Inspection Return of the Rhode Island Regiment:

"This Regt. wants 7 Ensigns, 9 Sergts, 5 Musicians, and 75 Privates to compleat it. The Regiment is in *good order* and *disciplined,* notwithstanding one third of the Men are Recruits. If it should happen to be deficient in this point, it might be justly attributed to the want of Officers. The Regiment can at

[14] The draft is in the writing of and is signed "D Humphrys Aide de Camp."
[15] Of the First Foot Guards, British Army.

present form two large Battalions, but there are scarcely Officers enough to command One. If the State does not fill up the vacancies the Commander in Chief must be requested to appoint Officers from other Lines to command in the Regt." I have only to add my earnest wish that a matter of so much importance to the service as that of having a sufficient number of Officers in the Field to command the Men, may be attended to, by your State as soon as circumstances will permit. I have the honor etc.[16]

To LIEUTENANT COLONEL JOHN LAURENS

Head Quarters, July 10, 1782.

My Dr. Sir: The last Post brought me your Letter of the 19 May. I must confess that I am not at all astonished at the failure of your Plan. That spirit of Freedom which at the commencement of this contest would have gladly sacrificed every thing to the attainment of its object has long since subsided, and every selfish Passion has taken its place; it is not the public but the private Interest which influences the generality of Mankind nor can the Americans any longer boast an exception; under these circumstances it would rather have been surprizing if you had succeeded nor will you I fear succeed better in Georgia.[17]

In the present moment there is very little prospect of the Campaign being much more Active in this quarter than in yours; however little can be positively determined on, till we have some advices from Europe, which I am anxiously waiting for, when they arrive I shall be better able to tell you what we may expect.

[Sir Guy Carleton is using every art to sooth and lull our people into a state of security. Adml. Digby is Capturing all our

[16] The draft is in the writing of David Humphreys.
[17] In his scheme of raising a regiment of Negro slaves in South Carolina.

Vessels, and suffocating all our Seamen who will not enlist into the Service of His Britanic Majesty as fast as possible in Prison Ships. And Haldiman (with his Savage Allies) is scalping and burning the Frontiers. Such is the line of Conduct pursued by the different Commanders, and such their politics. You have my best wishes always, being sincerely. Yrs. etc.][18]

*To LIEUTENANT COLONEL TENCH TILGHMAN

Head Qrs., Newburgh, July 10, 1782.[19]

My dear Sir: 'Till your Letter of the 28th. Ulto. (which is the first from you, and the only direct acct. of you, since we parted at Philadelphia) arrived, we have had various conjectures about you. Some thought you were dead, others that you were *Married,* and all that you had *forgot* us. Your Letter is not a more evident contradiction of the first and last of these suppositions, than it is a tacit confirmation of the Second; and as none can wish you greater Success in the prosecution of this, if it is the plan you are upon than I do; so believe me sincere, when I request you to take your own time to accomplish it, or any other business you may have on hand. at the same time permit me to assure you, that you have no friend that wishes more to see you than I do.

I have been in constant expectation ever since my arrival at this place of a Summons to meet Count Rochambeau at Philadelphia, to settle a plan for the ensuing Campaign. The non-arrival of the dispatches from his Court has hitherto prevented it. but the absolute necessity (to avoid delay after they do arrive) has induced me to propose a Meeting at all events; that we may settle such hypothetical plans as will facilitate our

[18] The draft is in the writing of Benjamin Walker. The part in brackets is in the writing of Washington.

[19] Ford dates this letter July 9, 1782.

operations without waiting for this meeting afterwards. I shall know the result of this proposition in the course of a few days, as my dispatches left this the 24th. Ulto.

We have nothing New in this Quarter. Sir Guy, gives strong assurances of the pacific disposition of his most gracious Majesty, by Land. Sir (that is to be) Digby, gives proofs, if he is deficient in assurances, of his Most gracious Majestys good intention of capturing every thing that floats on the face of the Waters; and of his humane design of suffocating all those who are taken thereon, in Prison Ships, who will not engage in his Service. To an American whose genius is not susceptable of refined Ideas, there would appear some little inconsistency in all this; but to the enlarged and comprehensive Mind of a Briton, these things are perfectly reconcilable. But whether they are right, or whether they are wrong time will determine.

I am just returned from a visit to our Northern Posts; in which Albany, Schenectady, Saratoga, the Cohoes, and the Fields of Burgoyne were visited.

Mrs. Washington, who sets out this day for Mount Vernon, thanks you for your kind recollection of her, and wishes you as I do, as much happiness as you can do yourself. I am etc.

GENERAL ORDERS

Head Quarters, Newburgh,
Wednesday, July 10, 1782.

Parole ———. Countersigns ———.

The Commander in chief is singularly happy to be confirmed in the favorable opinion he had entertained of the rapid progress which would be made in the decipline of this Army, by the Inspection returns which are just handed to him by the Baron Steuben; from which it appears that the troops in general have greatly improved since the preceeding inspection in

order and discipline; and that the spirit of emulation, which is universally to be seen among all ranks of officers and soldiers leaves no room to doubt but that the few regiments which are yet a little defective will by following the laudable example before them, soon attain an equal point of Military perfection.

GENERAL ORDERS

Head Quarters, Newburgh, Thursday, July 11, 1782.

Parole ———. Countersigns ———.

The Inspector General having reported that many of the locks where the flints are good and well fastened do not give fire and that the fault is in the softness of the Hammers, which must be remided by having them properly hardened. The Touch holes of some of the new arms require also to be enlarged. Commanding officers of regiments and companies will see that these, and any other small repairs which may be necessary are immediately effected, and that the arms are put and kept in the most perfect order for actual service.

To accomplish these purposes the regimental Armorers now retained at work in the publick shops are without delay to join their respective corps and to be employed under the direction of the brigade Quarter Master to whose particular charge the Travelling Forges are committed and who are ordered in the most explicit and positive manner to consider themselves *responsible* that the Armorers are made use of in no other business whatever but the reparation of Arms.

The Board to whom was recommitted the dispute of rank between Captn. Lieutenant Jonathan Carey,[20] and Lieutenant

On July 10 Washington ordered Colonel Sheldon, or the officer commanding the Second Light Dragoons, to hold them in readiness to march to the Army on the shortest notice. This draft is in the *Washington Papers*.

[20] He retired in April, 1783.

Nathaniel C. Allen[21] of the 10th. Massachusetts regiment, Report:

That Lieutenant Nathaniel C. Allen is entitled to the rank of Captain Lieutenant from the 30th. of October 1779 and that Captn. Lieutenant Jonathan Carey ought only to be considered as a Lieutt. and take rank from the date of his Commission.

The Commander in Chief approves the report and Major General Heath will be pleased to direct that the Lieutenants of the Massachusetts line may be numbered accordingly.

AFTER ORDERS

The farther Inspection and Mustering of this Army is postponed untill Monday the 15th. instant, when it will recommence with the 2d. Massachusetts Brigade, the 3d. Brigade on the 17th. and the 10th. regiment on the 19th. The 1st. Connecticut Brigade the 21st., the 2d. ditto the 23d. and the 3d. regiment of Artillery and Sappers and Miners, the 25th.

The Inspector will see the troops Manœuvre the morning after their Inspection.[22]

*To MAJOR GENERAL WILLIAM HEATH

Head Quarters, July 11, 1782.

Dear Sir: I have this moment received a Letter from Count De Rochambeau (by one of His Aids in five days from Williamsburg) informing me that he is on his way to Philadelpha; that he will be there the 13th. or 14th, and wishes for an Interview with me, for this purpose I shall set out in the Morning very early, and have only to request your usual attention. I am etc.

[21] Capt.-Lieut. Nathaniel Coit Allen. He was promoted to captain in October, 1782; transferred to the Seventh Massachusetts Regiment in January, 1783; served to November, 1783.

[22] The Varick Transcripts in the Library of Congress here notes: "No Orders were issued from Thursday July 11th. untill Tuesday, July 30, 1782."

P. S. I entreat that great diligence may be used in Manœuvering the Troops. If Genl. Carleton should, in my absence, send out the proceedings of the Ct. Martial on the case of Lippencut let them be forwarded to Head Qrs; that they may follow me. Accompany them with your own, and the opinion of the General Officers whom you can readily consult; as my measures must be taken so soon as these proceedings come to hand and my stay in Philadelphia for ought I know at present will be very short. Yrs. as before [MS. H. S.]

To LIEUTENANT COLONEL GEORGE REID

Head Quarters, Newburgh, July 11, 1782.

Sir: This will be handed to you by Captain Montour, who is going to Schenectady on a Visit to his Friends, the Oneidas and Tuscaroras. He has heretofore been employed in the Indian Service on the Frontiers of Pennsylvania. During his stay it will be necessary that he should have a Subsistence, you will therefore be pleased to direct that he receive three Rations pr. day, and show him Some Attention so long as he may choose to remain with you. I am etc.[23]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, July 11, 1782.

Sir: The Resolve of Congress relative to the Forage belonging to this State, which was used by the Army during the last Campaign, was particularly addressed to you; and as that matter has hitherto been wholly under your direction, I return you the Report of the Arbitrators, and request you to bring this matter to a conclusion agreeably to the Instructions that have been given.

[23] The draft is in the writing of Hodijah Baylies.

I also return you the report of the Board which sat to enquire into the reasons of the absence of sundry Officers, you will please to take the necessary steps therein. With respect to Genel. Glover, he has sent on the necessary Certificates of his incapacity to take the Field on account of his health, and that matter is now before Congress. I am etc.

P. S. The inclosed to Lt. Genl. Lossberg you will be kind eno' to forward by the first opportunity.[24] [MS. H. S.]

To CAPTAIN JONATHAN DAYTON

Head Quarters, July 11, 1782.

Sir: Passports having been granted by me for Genl Losberg to send out of N York One Q Master and two Non-commissioned Officers havg charge of Money, Cloathg and Medicine for the Use of the Hessian prisoners in Phila. You will receive them at the post of Elizabeth Town, and suffer them to pass on by the nearest Rout to philadelphia, agreable to the Tenor and strict Expression of their Permission, which they will produce to you, takg particular Care that no abuse is practiced by bringing out any Article not absolutely warranted by the passport. You will observe that their return is prescribed to be by the post of Dobb's Ferry I am &c.[25]

*To BRIGADIER GENERAL ELIAS DAYTON

Head Qrs. July 11, 1782.

Sir: Notwithstanding the pointed orders which have been issued against receiving Flags at Elizabethtown, and the subsequent one, which appeared to me, *before,* altogether unnecessary; as the first certainly included the other, that no Persons

[24] In the writing of David Cobb.
[25] The draft is in the writing of Jonathan Trumbull, jr.

should come from, nor communication be had with New York, I am informed that People are daily coming out and the intercourse as open with the City, as ever. I have now to order that Captn. Dayton[26] be relieved from that Post; that all correspondence with *Ward* Charmichael and every other Person within the Enemys lines do *positively* cease; and that you hold the Brigade in readiness to move at the shortest notice. I am etc.

To GOVERNOR GEORGE CLINTON

Head Quarters, Newburgh, July 11, 1782.

Sir: Colonel Lutterloh, Commissy Gen of Forage waits upon your Excellency to represent the state of the Army respecting forage, and to sollicit such aid from your Legislature as may be necessary for keeping up the supplies, untill the Financier shall be enabled to take more effectual measures for the purpose.

Give me leave to inform your Excellency that the Horses and Ox Teames of the Army are arriving daily in considerable numbers, that the Commissy of Forage is not possessed of Money for the purchase of subsistence for them, and that the Laws of the State are reported to be inadequate to procure the supplies that are absolutely requisite. The inevitable consequence of which will be that the public Cattle must perish or the forage be wrested by violence from the Possessors.

To remedy these evils, I have taken the liberty to trouble you with this, and to entreat that your Excellency will have the goodness to use your assistance and influence in devising some

[26] Captain Dayton wrote to Washington (July 12): "The persons . . . permitted to pass contrary to the spirit of the orders, are, I trust, (for I have seen no others) two officers who declared they had by stratagem effected their escape from the prison ship. . . . The lines about this place are so very extensive as to admit numbers to come privately from the other shore and make their way undiscovered into the country." Dayton's letter is in the *Washington Papers*.

efficacious mode for furnishing Forage, without imposing upon the Public, or injury to the owners; taking care at the same time, that the value of the property taken may be justly ascertained in such manner, as that the debt shall be equitably paid by the Public, without breaking in upon the present arrangements of the Financier, which ought to be supported and maintained inviolably sacred, as we regard the safety and preservation of our Country. I have the honor, etc.[27]

To BARON VON LOSSBERG[28]

Head Quarters, July 11, 1782.

Sir: I have been honored with your Favor of the 1st July. Being informed that many abuses have been practised under Cover of passports granted for the relief and Support of the prisoners of War in the united States, many Articles of Merchandize having been carried out under the Denomination of Necessaries; I have complied with your Request so far as extends to Money ready made Cloathing and Medicine for the Use of your prisoners in Phila. The Passport therefore I do myself the Honor to inclose to you and am Your etc.[29]

To LIEUTENANT COLONEL GEORGE REID

Head Quarters, Newburgh, July 12, 1782.

Sir: Since his Excellency wrote to you on the 10th. he has learned from the Commandant of Artillery, that there are a number of damaged Cartridge Boxes in the Store at Fishkill; an Order is given to deliver 400 of them for the use of Col. Willets

[27] The draft is in the writing of David Humphreys.

[28] Lieut. Gen. Friedrich Wilhelm, Baron von Lossberg, Hessian allied troops, British Army.

[29] The draft is in the writing of Jonathan Trumbull, jr. A draft of the passport, dated July 11, is the *Washington Papers*.

command; they will be forwarded by the D. Q. M. as soon as may be; and addressed to your care.

The Commander in Chief having this day set out for Philadelphia, I give you this information, that your arrangements may be made accordingly. I have the honor etc.[30]

To THE PRESIDENT OF CONGRESS

Philadelphia, July 15, 1782.

Sir: I have the Honor to inform Congress that I arrived Yesterday in this City. That the Occasion of my Visit is to meet and hold a Conference with the Count De Rochambeau, with whom I had made a previous appointment for the Purpose.

If Congress have any thing in Charge to communicate to me, I shall be happy to conform myself to their Commands. With great Respect etc.[31]

To COMTE DE ROCHAMBEAU

Philadelphia, July 16, 1782.

Dear Sir: In a Letter which I have this Day received from the Secretary at War, is the followg paragraph: "When our Troops retird from York Town in Virginia, a large Quantity of Ordnance and Ordnance Stores were left for the Use of the French Troops, who were to occupy that post. As the french Troops have left Virginia, I suppose our Artillery and Stores will be no longer wanted, if they are not, I think it will be proper to remove them: for the facility of destroying them will make the Attempt an Object with the Enemy, and the Loss which will

[30] The draft is in the writing of David Humphreys, but the letter sent was apparently signed by David Cobb.

[31] The draft is in the writing of Jonathan Trumbull, jr.

be sustained by the United States, should they be destroyed will be very considerable and not to be repaired this Year. As this Ordnance and Stores are in my immediate Charge I cannot satisfy myself that it will be proper to leave them there, unless Your Excelly should deem it necessary; in which Case I shall have no Doubt of continuing them there."

In Consequence of the above I have to request that your Excellency will be so good as to inform me, whether those Ordnance and Stores will be of any further [essential] Use to the French Army under your Command. If not, it will certainly be of Importance to the United States that Genl Lincoln should take Measures for their [immediate] Removal. I am &c.[32]

To THE SECRETARY AT WAR

Philadelphia, July 17, 1782.

Sir: In Reply to your Letter of Yesterday respectg the Ordnance and Ordnance Stores in Virginia, I transmit to you Copy of a Letter from the Count Rochambeau, to whom I had submitted your Quere and requested to know from him what future Services he expected from those Stores for the Use or Security of the French Camp.[33]

I think it will be well for you to take your Measures for the Removal of such as are not retained, as speedily as possible. I am &c.[34]

[32] The draft is in the writing of Jonathan Trumbull, jr. The words in brackets are in the writing of Washington.

[33] Rochambeau had written to Washington (July 17) that he thought "the quantity of American Artillery left at York is much greater than is necessary for the conservation of that post and that at Least, one half may be taken away whenever your Excellency shall think fit. . . . One battery of Eight pieces at York, and another of six at Gloucester will be Sufficient to protect the harbour . . . the rest amounting to 30 pieces and upwards, according to the best of my knowledge, may be removed." Rochambeau's letter is in the *Washington Papers*.

[34] The draft is in the writing of Jonathan Trumbull, jr.

*To JAMES McHENRY

Philadelphia, July 18, 1782.

My Dear Sir: Mr. Lindsay[35] handed me your favor of the 14th.[36] the disposition of the Prisoners is not with me, but I have accompanied your request to the Secretary at War, and have no doubt of his acquiescence. If the Ladies should derive as much additional pleasure from the attainment of this Band, as I wish them, they will soon be at the summit of happiness.

At present, we are inveloped in darkness; and no Man, I believe, can foretell all the consequences which will result from the Naval action in the West Indies. to say no worse of it, it is an unfortunate affair. and if the States cannot, or will not rouse to more vigorous exertions, they must submit to the consequences. Providence has done much for us in this contest, but we must do something for ourselves, if we expect to go triumphantly through with it.

My coming to this place was sudden as unexpected. Mrs. Washington left Head Qrs. on tuesday. on thursday I recd. a letter from Count De Rochambeau by one of his Aids which induced me to set off on Friday, and I arrived on Sunday; so that my being at the Ministers celebration of the birth of the Dauphin, was purely accidental. I heard with concern by Colo. Rogers of your indisposition, but rejoice at your recovery. As your fever has been obstinate, may not change of Air be of service to you;

[35] Manager of the Baltimore theater.

[36] In a letter to Washington (July 14), McHenry quoted Lindsay as saying he solicited "a change in the parole of the band of Musick at Frederick to this place", and would pay them "a salary for performing in the play house, which will also be a bar against desertion. Permit me to request your condescention in this instance, which I am persuaded will be remembered particularly by the ladies who are all anxious for the musick. . . . The only alteration which the last session produced in our Assessment law, was to introduce a 5/ specie tax which is to be paid in August, and which will not raise above £20, 00, and this is all we have to throw into the treasury, in place of 933,996 dollars demanded by Congress as our quota." McHenry's letter is in the *Washington Papers*.

whether for this, or other purposes, allow me to add, that I should be very happy in your spending sometime with us at Head Quarters. In a letter which I have lately received from the Marqs. De la Fayette he desired to be particularly remembered to you. I am with much truth &c.

P. S. Since writing the foregoing, I am informed by one of my Aids, who I sent with Mr. Lindsay to the Secretary at war, that certain plans have been adopted by him, and sanctioned, that will prevent Mr. Lindsay getting the Music in the manner he at first proposed; but on terms which he (Lindsay) will readily accede to if the prisoners can be engaged to yield their acquiescence.

Since writing the above I have received your Letter respecting the Interview which Majr. Lynch[37] reqs. with persons at New York. please to inform that Gentleman, that it is a rule established by me (and I think by Congress) for all Citizens to bring certificates from the Executive of the State in wch. they reside that they are permitted to this indulgence; it is then no more than an act of official duty with me. Let Mr. Lynch bring this to head Qrs. at Newburgh, and I will order the Officer commanding on the Lines, to furnish him with a Flag. [H.L.]

*SUBSTANCE OF A CONFERENCE BETWEEN COMTE DE ROCHAMBEAU AND GENERAL WASHINGTON

Philadelphia, July 19, 1782.

Having no data, upon which a plan of Campaign can be determined, I could only give opinions upon certain Hypothesis. These His Excellency Count De Rochambeau has had an oppertunity of examining, fully.

[37] Maj. John Lynch, of the Fourth Maryland Regiment. He retired in January, 1783.

New York, in my judgment, has ever been, and ought to be, the primary object of our Arms. Chs. Town, for certain political considerations (wch. I have stated at large) may come in as the second. But as the first will be very difficult, if at all practicable, without a decided Naval superiority; and the second morally impossible, unless our Siege artillery, Ordnance and other heavy Stores, cou'd be transported by Water, we are reduced to the alternative of threatening New York, to prevent them from detaching; or, to Enterprise (upon the principles I have ennumerated in my statement of matters) an offensive operation, into the Bowels of Canada.

For either of these purposes, or indeed for the better, and more effectual cover of the Country, a junction of the two Armies on the No. River is necessary.

For these reasons it is, as the French Corps has already left their Cantoments, and proceeded to Maryland; and because Baltimore is not within supporting distance of York Town, and west point in Virginia. and too far from the Enemy's principal post of New York, to prevent detachments; that I have advised Count de Rochambeau to continue (by slow and easy movements) his March to the No. River.

It is for these reasons also, I readily assented to the propriety of removing the Artillery and Stores from York Town, and West point, and to the evacuation of those Posts.

I am perfectly in sentiment with Count de Rochambeau when he says, that our means must be competent to the end; or, that the Enterprise against Canada would recoil upon ourselves, and terminate in disgrace, perhaps in ruin.

I am also clear, that the attempt, upon my plan, must be as rapid as it is secret. In a word, that the annunciation, and the execution, should be in the same moment; or the enemy in that Country, would no longer be in a state of seperation; but be prepared to meet us with their whole force at one point. It was

not my idea therefore, to announce this project till the moment of its execution. and if Count de Rochambeau had conceived himself at liberty to cooperate in this Expedition, there would have been no necessity for it. As he is not. the delay, consequent of his application to his Court, will, in all probability, plunge us too far into the cold season, and will deprive us of the advantages which I proposed from secrecy and a sudden manœuvre.

If such an Expedition as this, had been the ultimate project, or denier resort of the Campaign, after our resources should have been unfolded, I should, in that case, have entreated Count de Rochambeau, and the Chevalier de la Luzerne, to have employed all their influence at the Court of France to obtain a Naval superiority, that reinforcements of Men and Means to the enemy, might be cut off from them in the Spring.[38]

To BRIGADIER GENERAL PETER MUHLENBERG

Philadelphia, July 22, 1782.

Sir: I have not received the Return of Stores &c. mentioned in your Favor of the 3 instant, which Circumstance gives me reason to suppose your Conjecture to be right, that they have fallen into the Hands of the Enemy. You will be pleased to send me a Duplicate of that Return.

I shall be sincerely rejoiced if any Circumstance takes place to facilitate the Recruitg in Virginia.

[38] This document is arranged in two columns—Washington's statement on the left and Rochambeau's on the right. Rochambeau's statements are translations in the writing of Benjamin Walker. A condensation of them follows: It was Washington's desire that the French troops form a junction with the Americans on the North River in a position to threaten New York. After the junction Washington would be better able to attack the upper parts of Canada. Rochambeau must await authorization from the French court before cooperating against Canada. Extraordinary funds would be necessary to subsist the French and American Armies in Canada. Rochambeau had not the least objection to a junction of the allied armies on the North River, or to the removal of the stores from Yorktown. A duplicate of the document, also signed by Washington, with the right-hand column in the writing of Rochambeau, is in the Chateau de Rochambeau, France.

The present State of intelligence and uncertainty prevents an Order for your Recruits to be put in March; as soon as this is removed you will be furnished with Instructions. I am &c.[39]

To GOVERNOR BENJAMIN HARRISON

Philadelphia, July 22, 1782.

Sir: The Count de Rochambeau havg come to a Resolution to remove the Garrison of French Troops, with their Artillery and Stores from Virginia, I think it necessary to inform you of this Event, and that it will be no longer necessary for the Militia of your State to be kept up for their Guard.

It is also my Opinion as well as of the Count, that upon Removal of the Garrison and Stores it will be best that the Works at York, Gloucester [and West point] should be levelled, that the Enemy may have no object to attempt in that Quarter more than in any other part. This however I give you as a hint of my Judgment. The State perhaps may judge differently and will do whatever they think proper, [not only with respect to the Works, but retaining the Militia or part of them in Service.][40]

To GOVERNOR BENJAMIN HARRISON

Philadelphia, July 22, 1782.

Dear Sir: Just before the receipt of your Favor by the post, I had written your Excellency by a private conveyance, which will in a great measure anticipate the necessity of this.

The removal of the french Garrisons from York River, with their Stores will relieve your Militia from the Service they were

[39] The draft is in the writing of Jonathan Trumbull, jr.

Washington wrote again (July 22) to Muhlenberg, approving his conduct in executing deserters: "The Benefit resulting from a promtitude of Execution and the Necessity of Example, in this Case, serve to plead your Justification." This draft is in the *Washington Papers*.

[40] The draft is in the writing of Jonathan Trumbull, jr. The portions in brackets are in the writing of Washington.

particularly called on for by the Count de Rochambeau, and will effectually relieve you from the Embarrassment you apprehended respecting the Command.

The Intelligence from Holland is indeed very important. I wish however to be ascertained what Exertions those States will make on this Occasion.

I have no Objection to the Exchange of Mr. Crew,[41] provided it be done on proper principles.

I am rejoiced to hear of the Act for recruiting your Line, and sincerely wish that the provisions of the Act may be such as to produce the desired Effect. In some Instances the Execution has fallen short of the Intention. Joined with the Men, an effectual Collection of your Taxes, is a Matter of the utmost Moment; but of this I think you are so fully persuaded, that I flatter myself, that no Exertions within the compass of your power will be wantg, to give us that essential Relief, which our Situation in that respect so much requires. With great Regard etc.[42]

[H. S. P.]

*To MRS. RICHARD STOCKTON[43]

Philadelphia, July 22, 1782.

Madam: Your favor of the 17th. conveying to me your Pastoral on the subject of Lord Cornwallis's[44] Capture, has given me great satisfaction.

Had you known the pleasure that it would have communicated, I flatter myself your diffidence would not have delayed it to this time.

[41] Robert Crew, a Virginia merchant.

[42] In the writing of Jonathan Trumbull, jr.

[43] Annis Boudinot Stockton.

[44] Neither Mrs. Stockton's letter nor her pastoral are now found in the *Washington Papers*.

On July 22 Washington wrote to Capt. Bartholomew von Heer to send a sergeant and 12 of his best men to Easton, Pa.; and to march the remainder of the Maréchaussée corps to the Army. This draft is in the *Washington Papers*.

Amidst all the complimts. which have been made on this occasion, be assured Madam, that the agreeable manner, and the very pleasing Sentiments in which yours is conveyed, have affected my Mind with the most lively sensations of Joy and satisfaction.

This Address from a person of your refined taste, and elegance of expression, affords a pleasure beyond my powers of utterance; and I have only to lament, that the Hero of your Pastoral, is not more deserving of your Pen; but the circumstance, shall be placed among the happiest events of my life. I have the honor etc. [H.S.P.]

To LORD STIRLING

Head Quarters, July 28, 1782.

My Lord: I am directed by the Commander in Chief, who returned last evening from Philadelphia, to present his Compliments to your Lordship, with a tender of any thing which Head Quarters can afford, that may in the least, contribute to the restoration of your Lordships health, being happy to hear that your Lordship has so far recovered from a dangerous illness and that he will do himself the pleasure of calling on your Lordship in a few days; in the mean time he begs your Lordships acceptance of half a dozen Lemons. I have the honor etc.[45] [N.Y.P.L.]

To COLONEL ELISHA SHELDON

Head Quarters, Newburgh, July 28, 1782.

Sir: You are to commence the March of your Regt. as soon as may be after the receipt of this Order; you will proceed to New Town, Danbury, or some other convenient place in the

[45] In the writing of and signed "David Cobb Lt Colo. Aide de Camp."

State of Connecticut, on the route to the Army, where forage and accommodations may be best supplied, and where you will halt untill further orders.

You must move by easy Marches (as I expect the Regt will come into the field in perfect Order) taking care that no excesses or depredations are committed on the March.

When you have halted you will report to me the place you are at, the State of the Corps and any thing farther respecting the service which ought to be known. I am etc.[46]

To THE SECRETARY AT WAR

Head Quarters, July 30, 1782.

Dear Sir: I have to acknowledge your several Favors of the 4th. 5th. 9th. 10th and 16th of July; their respective Subjects are attended to.

As you do not mention them I am at a loss to collect the particular Instances of Difficulty which occur to you in formg a system for the new Arrangement of the Invalid Corps, and therefore refer the Subject to you again; the same Difficulty occurs respectg the Dispute of Rank between Colo Lee's Legion and the other Corps of Horse serving with Genl Greene; as I do not know the Objects of Dispute, it is impossible for me to make any Observations upon them or give any Decision thereon. I am &c.[47]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, July 30, 1782.

Dear Sir: For your Information, and that you may know the Object of your Mission, I inclose you a Transcript of my Letter

[46] The draft is in the writing of David Humphreys.
[47] The draft is in the writing of Jonathan Trumbull, jr.

to Sir Guy Carleton, which is herewith committed to your Care to be forwarded as soon as possible.

Before the Time of your going to Phillips's House, I shall have the pleasure of seeing you, or communicating in Writing, my Sentiments more fully on the subject of your Meeting. With great Regard etc.[48] [M.S.H.S.]

To THE SUPERINTENDENT OF FINANCE

Head Quarters, Newburgh, July 30, 1782.

Sir: Since my arrival here General Heath has put into my hands, the Letter from Messrs. Sands & Co (of which the enclosed is a Copy) in answer to one from the Genl to the Contractors, on the subject of repeated deficiency in the supply of provisions, during my absence [and the great distress of the Troops consequent thereof.]

As the Representation contained in this Letter differs materially from the *idea* of the state of facts, which I had conceived from my conversation with you, I thought it essential to transmit it, in order that my mistake might be remedied, in case I had misunderstood your Meaning.

I know, Sir, full well the innumerable embarrassments with which you are surrounded on all sides; and therefore if there is unavoidably a deficiency in complying with the Contract on the part of the public, I would wish not to push the Contractors, but on the other hand to make every thing as easy with the Army as possible: Altho it is *certain* the service is much impeded, desertion vastly encreased, and the disposition of the Troops extremely soured, by their frequent want of Provisions, [and being sometimes 2 or three days too without, and some Corps a whole Month without a drop of spirits either to Officers

[48] In the writing of Jonathan Trumbull, jr.

or Men.] But if the failure has happened through the fault of the Contractors, when they were actually furnished with the means of effecting the necessary purchases, their Conduct is infamous beyond description or parallel, and deserves the severest reprehension and punishment.

Sincerely disposed to interpose all my influence in promoting your momentous Plans, I entreat you will give me an Answer.[49] by the bearer and believe that I am etc.[50]

To SIR GUY CARLETON

Head Quarters, July 30, 1782.

Sir: In Reply to your Letter of the 25th. I have to inform your Excellency, that Major General Heath, second in Command, with two Aides-De-Camp, will have the Honor of Meeting an Officer of equal Rank, of your Excellency's Appointment, at the House of Mr. Phillips on the 5th. day of Augst next. At that Time Genl Heath will receive from your Officer, the proceedgs. of the Court Martial on Capt Lippincut for the Murder of Capt Huddy, together with such other Documents as you shall think proper to communicate.

The Assurance which your Excellency has given me of the fullest Satisfaction in this Matter is as pleasing as it is interesting.

Your Excellency's propositions, contained in your Letter of the 7th, have been communicated to Congress, and are now under the Consideration of that Hono Body. As soon as I am favored with their Determination, your Excellency may be assured I will do myself the Honor to communicate it to you. I have the Honor etc.[51]

[49] Morris answered (August 5). His letter is in the *Washington Papers*.

[50] The draft is in the writing of David Humphreys. The words in brackets are in the writing of Washington.

[51] The draft is in the writing of Jonathan Trumbull, jr.

To COLONEL CHARLES ARMAND-TUFFIN

Head Quarters, July 30, 1782.

Sir: I have a few Days ago received your Letter of the 3d of last Month, inclosing Copy of your Letter to the Secretary at War on the Subject of Captain Sigourne's[52] Resignation.

I am much pleased to find that your Cavalry is so nearly compleated and that the Men are so constant to their Engagement. I wish it was more in our power to compleat your compliment of Horses, but I fear our finances will not admit it at present. The Secretary at War and the financier will do every Thing in their Power, consistent with other necessary and essential Demands for the general Service. In the Mean Time I am to acknowledge your Care and Attention to the Establishment of the Corps, without which, I am persuaded it would not be found in so respectable a Condition. I am &c.[53]

To GOVERNOR WILLIAM LIVINGSTON

Head Quarters, July 30, 1782.

Sir: Lt. Heard[54] of Lt Colo. Lee's Corps informs me that a process is issued against him for the seizure of a Horse the property of Mr. Anderson in Monmouth County in the year 1780. As he says that he acted in this matter under orders from Majr Lee and that those orders were founded on my instructions, I have had recourse to my Papers and agreable to my promise to Mr. Heard inclose a Copy of the Instructions that your Excellency may Judge how far they will Justify the Seizure in question. I am &c.[55]

[52] Capt. Louis de Sigougné, of Armand's Legion.

[53] The draft is in the writing of Jonathan Trumbull, jr.

[54] Lieut. James Heard. He ranked as captain from March, 1782, and served to the close of the war.

[55] The draft is in an unidentified writing.

To GOVERNOR GEORGE CLINTON

Head Quarters, Newburgh, July 30, 1782.

Sir: I have been honored with your Excellencys favor of the 24th enclosing the Copy of a Letter from Col Willet: From which I have learnt with great concern the repeated depredations that have been committed on your Western frontier, and should be extremely happy (were it in my power consistent with the general state of affairs) to afford a sufficient Detachment from this Army to cover the whole Country; but I dare say you must be sensible this is not the case. How far it may therefore be expedient to call forth an additional aid of Militia, I shall submit to your Excellencys judgment, as you are better acquainted with the circumstances of the frontier, the strength of Willets command, and probably the state of the Enemy at Oswego, than I am. In the mean time, I wish to be informed as far as may be in your power, of the force of Willet's Corps now assembled on the Mohawk, also of the strength of the Enemy at Oswego, of which I have as yet had only vague and unsatisfactory accounts.

Since the date of Col Willets Letter, he has, I suppose received four hundred Cartridge Boxes, in which Article his most essential deficiency consisted: in consequence of which I cannot but hope, that *Corps* in conjunction with the Continental Regt stationed in that quarter will be able to give a better protection to the Country than has lately been the case, and to chastise the insolence of the Enemy in any future incursion, especially since they are now likely to be supplied with hard bread and salted Meat. Of which Articles however, I apprehend there will not at present be such quantities accumulated, but that they may be preserved from spoiling by temporary sheds, or Cellars covered with good thatch, or substantial well-wrought

shade of Boughs, which may be constructed by a little care and attention of the Officers and labour of the Soldiers.

This is upon a supposition that the public will not be enabled to erect Stores for the purpose; for notwithstanding the order I have sometime since given to the Qr. Master, to furnish materials for the buildings necessary at the posts on the Mohawk, I fear he will not have it in his power to do it for want of money. I have the honor etc.[56]

To SIR GUY CARLETON

Head Quarters, July 30, 1782.

Sir: In pursuance of an Act of Congress directing me, "to remand immediately Lieut Genl Earl Cornwallis to the United States, unless the Hono Henry Laurens be forthwith released from his Captivity and furnished with passports to any part of Europe or America at his Option, or be admitted to a General parole." I have to request your Excellency that Orders for this purpose may be communicated to Lieut Genl Earl Cornwallis by the first Conveyance, informg him, that, as this Order is strictly conformable to the Tenor of his Parole, I have the fullest Expectation of his immediate Return to the United States, unless the Conditions mentioned in the Act of Congress are speedily complied with. I am &c.[57]

GENERAL ORDERS

Head Quarters, Newburgh, Tuesday, July 30, 1782.

Parole ———. Countersigns ———.

The Honorable the Congress have been pleased to pass the following Resolves.

[56] The draft is in the writing of David Humphreys and David Cobb.
[57] The draft is in the writing of Jonathan Trumbull, jr.

By the United States in Congress assembled April 23, 1782

Whereas the most strict economy in the public expenditures is absolutely necessary for a vigorous prosecution of the war; and whereas to that end it is requisite to discontinue the practice of filling some of the places in the staff departments with persons not of the line of the army, which places may, with great savings to the public, be filled by supernumerary officers from the line.

Resolved, therefore, That in future there be only ten lieutenants to each regiment of infantry, to be employed in the regimental line and staff, the regimental paymaster to be considered as not attached to any company.

That the supernumerary junior lieutenants, beyond the number of ten in each regiment of infantry, be reduced; unless the officers of the regiment shall otherwise agree, as to those that shall retire according to the resolutions of the 3d and 21st of October, 1780, and shall accordingly retire on, or before the first day of June next, if in the main army and the first day of July next, if in the southern army, except such of them as shall accept of employments in the staff departments, with the approbation of the heads of the respective departments, in which case they shall severally retain their respective ranks in the army and be entitled to the full pay and subsistance belonging to their rank in the line, as a compensation for their respective services in the staff, without any other allowance whatsoever: provided always, that nothing contained in the above resolution, shall effect the pay or rank of any officers in captivity during such captivity.

In Congress July 11, 1782.

Resolved, That junior lieutenants, who were to retire agreeably to the act of Congress of the 23 day of April last, may at their option be retained in their present pay and rank as far as there are vacant ensigncies in their respective corps.

The regimental surgeons are to make a return immediately to the Physician of the army of all the medicines and instruments on hand likewise a return of such Medicines as they want that orders may be issued for their being supplied so far as the stock on hand will admit.

Returns are to be made by the regimental paymasters to the Assistant Clothier general of the Hunting shirts actually

wanting in the several regimts. that an equal distribution may be made of those which are expected, in case there should be a deficiency. It is expected that those corps which received a proportion last fall, or have drawn a partial supply from their states will not include the men who are at present supplied in a tolerable manner in these returns. Should there be a sufficiency, the remainder will afterwards be issued.

As long as the army remains in its present position or untill a more convenient communication of orders can be established, the Adjutant general or one of his Assistants will every day attend at Westpoint between eleven and one o'clock to distribute General orders to the several Brigade Majors, the Adjutants of corps not brigaded and Aids de Camp to General officers, who are punctually to assemble at the Collonade for the purpose.

Major General Heath and the Commandant at Westpoint will be pleased to transmit their orders to the Adjutant general or officer attending for him at the above time and place who will take the trouble of making them public; extraordinary orders they must communicate to the corps they respect by their Aids de camp or in such other manner as the nature of the order may require.

Officers of the Line and Staff of every denomination are to make themselves perfectly acquainted with all General Orders. The plea of ignorance, so far from being admitted as an excuse for their noncompliance with them, will be considered as an aggravation; it behoves every officer therefore who is in Camp to read the orders daily; and those who are absent to call for and read them the moment they return.

All orders are to be read to the soldiers at the first evening roll call after they issue in the presence of an officer of each company; and properly explained to, and inferred upon them.

The Colonel or officer commanding the regiment is to be responsible that this order (which is to be considered as a standing one) is punctually complied with.

To GOVERNOR JONATHAN TRUMBULL

July 30, 1782.

[See Washington's letter of July 3, 1782]

GENERAL ORDERS

Head Quarters, Newburgh, Wednesday, July 31, 1782.

Parole America. Countersigns Boston, Charlestown.

The field officer of the day for the Garrison of Westpoint is requested to send a Duplicate of his report of the guards tomorrow at orderly time, to the Adjutant General, for the inspection of the Commander in chief.

The third Connecticut regiment to relieve the detached guards tomorrow to continue on that duty seven days.

For Fatigue tomorrow 2d. Connecticutt regiment.

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, Newburgh, July 31, 1782.

Dear Sir: Being very confident of your attention to the several objects entrusted to your care during my absence; in reply to your favor of the 28th., I have only to observe that I think it but reasonable that the Officers who have been prevented, by their attendance on the Court Martial for the tryal of Majr. General McDougall, from visiting their Families, should be indulged with leave of absence for a short time, and that it is also expedient an Officer should be sent after the Deserters you mention, whose absolute necessary expences will be defrayed by the

public, in Order to which, an exact account must be kept of his expences, accompanied with the necessary vouchers and receipts.

I approve of the Order for furnishing hunting shirts to the Light Infantry Companies on the Lines, the remaining Companies can draw as soon as they please: the transportation of the remainder of the Summer cloathing was urged in the strongest possible manner when I was in Philadelphia, but that almost insuperable bar[58] in all our affairs has hitherto prevented it, yet I cannot but hope the frocks will now be on speedily.

As to the cloathing &c, lost by fire in the 2d. Masstts. Regt., let a report and return be made by the Commanding Officer, and such measures will be taken as the nature of the case shall appear to justify. I am etc.[59] [MS.H.S.]

To COLONEL RICHARD BUTLER

Head Quarters, Newburgh, July 31, 1782.

Sir: I informed you verbally by the Return of your Messenger from Phila that I should make a Reply to your Letter of the 11th on my Arrival at Newburgh.

I am equally Sorry with you for the Occasion of so much Business for Courts Martial as you mention, but the Necessity of the Circumstance must be submitted to. You are therefore hereby authorized to appoint, from Time to Time, as Occasion shall require, such General Courts Martial as you shall judge proper, whenever there shall be sufficient Number of Officers for composing the Court; allways sendg to me all proceedgs and Sentences on Capital Cases, before they are carried into Execution; the smaller Matters to be approved and carried

[58] Lack of money.
[59] In the writing of David Cobb.

into Execution or not by yourself as you shall think proper, consistent with the Rules and Articles of War in their particular Cases.

The Sentences against John Connor, George Mason, Peter Huston and Danl Gallaher, were not attended to at the Time of my last Letter. I now submit to your Judgment the carrying into Execution their Sentences, or remitting them as you Shall find best; except that in the Case of Gallaher, the punishment of the Gantlope Assigned him is unconstitutional and inadmissible, and cannot therefore be approved.

I am much pleased at your Report of the good Discipline and Manœuvres of the Troops assembled under your Command; and have Confidence in the Continuance of your Exertions.

I am very sorry for the Occasion of Uneasiness in the Minds of the Men for Want of pay; but it is not in my power to remove it; neither will it be in the power of the Financier unless the States are more punctual in the payment of the Taxes required from them.

In the present Circumstances, It will be best to continue the Recruits under your Orders, collected together, without makg any particular Distribution or Allotment of them until further Orders. I am &c.[60]

To PRESIDENT MESHECH WEARE

Head Quarters, July 31, 1782.

Sir: I was not till last Evening honored with your Letter of the 3d of this Month, accompanied by one from Genl. Bailey, and another from Captn. Johnson.

I am exceedingly pained at the reiterated Accounts of the Distress which subsists in the Territory of Vermont, the more

[60] The draft is in the writing of Jonathan Trumbull, jr.

so as I feel myself incompetent to giving any Relief. These Troubles, my dear Sir, appear to me to take their Rise from the Dispute which subsists respecting the Territory of Vermont, as it gives Occasion not only to parties and Divisions within themselves, but also encourages the Enemy to continue their Attempts and Designs among them, which will undoubtedly be aided by artful Men within that Territory so long as the Occasion exists. This Sentiment evinces to my Mind the great Necessity of some Measures being adopted to determine this Dispute, which only can be done by Congress or the concurrent Agreement of the States concerned. So long as this Dispute of Territory subsists, the parties, Divisions and Troubles, both external and internal, will, I imagine encrease. Are there no Means my dear Sir, of bringing this troublesome Matter to a Conclusion? If possible, it should be terminated in some Way or another, the particular mode is not for me to mention, I only give it as my Opinion, that this Measure will prove the greatest Remedy I can devise to allay the Troubles which now exist.

My Sentiments on Captn. Johnson's Situation were given to him in a Letter I wrote to him some Time ago.[61] I am still willing to concur in any consistent means for Exchange that can be devised, but at present I have none within my Reach. I have the Honor &c.[62] [MS. H. S.]

GENERAL ORDERS

Head Quarters, Newburgh, Thursday, August 1, 1782.

Parole Holland. Countersigns Amsterdam, Rotterdam.

Major General Howe and the Members of the Courtmartial of which he is president, are to return to their duties in the line untill further orders.

[61] June 14, 1782, *q. v.*

[62] In the writing of Hodijah Baylies.

A return of the officers in Arrest who have not had their trials to be given in at orderly time tomorrow specifying the charges exhibited against them.

Captain Lieutenant Freeman,[63] of the Massachusetts regiment of Artillery, arrested by Colonel Crane for "Neglect of duty and disobedience of orders in not attending the roll call of the regiment on the evening of the nineteenth of July last, notwithstanding a possitive order for a strict attention to that duty" was tried by the general Courtmartial of which Colonel Putnam is president. The Court find that Captn. Lieutenant Freeman was absent from roll call on the evening of the 19th. of July; but are of opinion his reasons are sufficient and do therefore acquit him of censure; the Court are further of opinion that the Arrest was unnecessary and trifling with discipline.

The Commander in Chief releases Captn. Lieutenant Freeman from his Arrest altho' he does not agree in sentiment with the Court; to do so, would be giving his sanction to the disobedience of a very necessary regimental order where no sufficient cause is assigned for it; an order too, recently reiterated. Whether the Commandant of a regiment does invariably pursue a steady line of conduct in the government of his corps or not, an officer under his command can by no means exculpate himself thereby, for neglect of duty or disobedience of orders. At the same time that the General considers a disposition to carry orders into execution as very laudable he wishes the frequency of arrests may not destroy the efficacy of them.

Lieutenant W. Lament[64] of the Corps of Invalids charged with "Behavior unbecoming an officer and Gentleman," was tried by the same General Courtmartial and sentenced to be discharged the service.

[63] Capt.-Lieut. Constant Freeman, of the Third Continental Artillery. He served to June, 1783.

[64] Lieut. William Lamont (Lemont).

The General confirms the sentence and orders it to take place accordingly.

At a General Courtmartial assembled at Westpoint by order of Major General Heath: Colonel Zebulon Butler, president, Lieutenant Colonel Ezra Badlam of the 8th. Massachusetts regiment charged with "Neglect of duty and unofficerlike conduct in mustering and forwarding to the Army as Recruits for the Massachusetts Line several persons precluded by the Laws of the State and others unfit to perform the duty of soldiers in the field particularly John Costillow and Frederic Sitze, lately deserted from the enemy; John Hoitt and Peter Godfrey, Deserters from the french service; Richard Avery, Benjamin Taylor, Hugh Munroe, and Amos Round, boys undersized; George West an idiot; Cæsar Wyman, a negroe lame in the ancle; Andrew Hobert, and Gilbert Garland, foreigners, who deserted on the road; also with mustering as recruits for the army Samuel Pelham, Jonathan Robins, and William Osborne; was tried, and found guilty of neglect of duty and unofficerlike conduct in mustering and forwarding several persons precluded by the Laws of the State and others unfit to perform the duty of Soldiers in the field particularly John Castallow and Frederick Sitze, deserters from the enemy; John Hoitt and Peter Godfrey, deserters from the French service; Hugh Munroe and Amos Round, boys undersize; Cæsar Wyman, a Negroe lame in the ancle; and that he is also guilty of the additional charge Vizt. Mustering Samuel alias Darius Pelham, Jonathan alias John Robins and William Osborne; for which they do sentence him to be dismissed the service of the Army of the United States.

The Court are of opinion that, that part of the charge respecting the other persons is not supported and do acquit him of it.

The Commander in Chief approves the opinion of the court.

Brigade Quartermasters and Quartermasters of seperate corps

will apply to the store at Fishkill landing on Monday next at Eleven o'clock where they will receive Canvass for the purpose of walling the new French horsemans tents which they have drawn this summer.

For Fatigue tomorrow 1st. Massachusetts regiment.

GENERAL ORDERS

Head Quarters, Newburgh, Friday, August 2, 1782.

Parole France. Countersigns Paris, Bourdeaux.

Before baggage teams are allotted to the different regiments the general thinks it expedient the officers should be informed that he *expects* the baggage of the army will this Campaign be contracted in size and weight as much as possible. He intends his own personal baggage and Cloathing shall be contained in a portmanteau. Commanding officers of regiments and corps will be pleased to pay attention to this article and see that no unnecessary lumber is crouded into the Carts and waggoons assigned to the Troops under their Command; sudden and rapid movements may probably disclose how thoroughly this order is carried into execution; should any of the officers immediately concerned be found delinquent they must not be disappointed to see their regiments recorded for disobedience of orders and themselves noticed by name.

Some of the huts may be made use of as deposites or upon application to the Quartermaster with the army stores will be provided where the superfluous baggage may be safely placed untill the close of the Campaign.

The Men belonging to the marching regiments now imployed in the Laboratory are untill further orders to join their corps a sufficient number of the Recruits joined Captn. Moodies company of Artillery will replace them.

Lieutenant Colonel Vose will immediately repair to the Lines to relieve Major Keith in the Command of the Infantry. Major Keith is to return to Westpoint as soon as he is relieved.

For Fatigue tomorrow 8th. Massachusetts regiment.

To THE SECRETARY AT WAR

Head Quarters, Newburgh, August 2, 1782.

Sir: As it is highly essential to the Discipline, as well as the Appearance of the Troops that they should be furnished with Colours, I could wish they might be forwarded as soon as possible, for I am informed they are already purchased. There is a Deficiency of about 30 Drums and 20 Fifes (as you will perceive by the Inspection Returns) which should likewise be supplied.

The Bearer is charged with the General Return of the Army, the Inspection Returns and Musters for the Month of June. I have the Honor &c.[65]

To THE PRESIDENT OF CONGRESS

Head Quarters, August 3, 1782.

Sir: Herewith I have the Honor to transmit to Congress, proceedings of a general Court martial on the Tryal of Major General McDougall.

The uniform practice which I have heretofore adopted in similar Cases, together with some other Reasons, which Congress will collect from a perusal of the papers, give Occasion for this transmission. With great Respect etc.[66]

[65] The draft is in the writing of Hodijah Baylies and Jonathan Trumbull, jr.
[66] In the writing of Jonathan Trumbull, jr.

To THE PRESIDENT OF CONGRESS

Head Quarters, August 3, 1782.

Sir: I do myself the honor to transmit to your Excellency, Copies of the Correspondence which has passed between me and Sir Guy Carleton since my return from Philadelphia.

I pray you Sir, to lay them before Congress, for their observation and Determination, and as they involve objects of Moment, I beg that I may be favord with an early decision on the Subject, for my government in my future Communication with the British Commander in Chief. I have the honor etc.[67]

COMMISSION TO MAJOR GENERAL WILLIAM HEATH

Head Quarters, August 3, 1782.

Sir: His Excellency Sir Guy Carleton having requested a Passport for Chief Justice Smith to repair to the Head Quarters of the American Army, in Order to lay before me the proceedings of a Court Martial on the tryal of Capt Lippencut for the Murder of Capt Huddy, with other Documents and Explanations which he *says* "he has no doubt will give full Satisfaction."

I do therefore, from an earnest desire to proceed with Candor and deliberate Justice, appoint you to meet an Officer of equal Rank at the house of Colonel Phillips[68] on Monday the 5th instant, or at any other time or place which you may think more convenient, for the purpose of receiving the proceedings and Documents abovementioned; with such Explanation *in Writing* as he may think proper to communicate. The Papers

[67] In the writing of Benjamin Walker. The letter was read in Congress on August 7 and referred to John Morin Scott, Theodorick Bland, and James Madison.

[68] Col. Frederick Philipse. His house is in what is now Yonkers, N. Y.

you shall receive you will transmit to me as soon as your business is concluded, together with a report of your proceedings therein.[69] [MS.H.S.]

INSTRUCTIONS TO MAJOR GENERAL WILLIAM HEATH

Head Quarters, August 3, 1782.

Sir: Having desired you to meet an Officer from Sir Guy Carleton for the purpose mentioned in your appointment and authority, you will proceed to execute said business. In the course of which, you may inform the Officer you meet, that as I have no connection with, or controul over any Person in the Line in which Mr. Smith walks; as the question before us is, in my opinion, purely of a Military nature and reduceable to this single point, whether the perpetrator of the wanton and cruel murder of Huddy is to be given up, or a British Officer to suffer in his place, that I could see no propriety or necessity in an interview with the Chief Justice.

If you should find that the design of Sir Guy Carleton, is to procrastinate this business, to envelop it in as much intricacy and difficulty as possible, or that he means to justify it by recrimination and Law Cases, thereby attempting to avert our purposes of Retaliation, you may assure him (unless you shall judge it expedient to leave me more at liberty), if not explicitly, at least by strong insinuation, that he will miss his Aim; and that my deliberate and dispassionate proceedings in this case are intended to give him, as he now has had, full time to determine whether the guilty person, or an innocent Officer, shall be made the subject of Retaliation.

You will be particularly cautious, that whatever passes in the conference you are to have, which is to be considered as official,

[69] In the writing of Benjamin Walker.

be committed to writing; that no omissions or misconceptions may be plead hereafter; and you will inform the Officer in explicit terms, if you find the matter is not likely to end as justice dictates, and we could wish, that all oral conversation will be excluded from the official report of these proceedings now, or any share in the Account of them hereafter; or the recital of them will be considered as unfair, and an evident departure from that line of rectitude which we have wished to pursue for an unbiassed World to judge by.

If notwithstanding my Letter to Sir Guy Carleton, requesting his appointment of an officer of your Rank to meet you on this business, he should send Mr. Chief Justice Smith, you may at your discretion, either receive the proceedings of the Court, and such other documents as he is merely the bearer of, without going into any explanation with this Gentleman, or refuse the whole, as circumstances of the moment shall dictate to you; Or if this Gentleman should be an attendant on the Officer aforementioned, you may refuse to admit him at your conference, in the first case, you may either return, with the proceedings &c, or you may write Sir Guy Carleton that you will wait a given time for an Officer, agreeable to the purport of my Letter to him of the 30th. of last month.[70] [MS.H.S.]

To JOHN MOYLAN

Head Quarters, Newburgh, August 3, 1782.

Sir: By the last Inspection Returns of the Army I find, that the Men in general are possessed of but one Shirt each, and that in a short Time they will be totally destitute of that necessary Article, unless a Supply is immediately provided. I wish therefore to point and fix your Attention immovably to this

[70] In the writing of David Cobb.

Subject. Let every Exertion be used, and every Resource be tried, for procuring such a Supply of Shirts as that two may be issued to every Soldier at the next Delivery, which must be as early as possible. This is not only essentially necessary for the Comfort of the Troops, but will be found eventually the most Substantial and best Oeconomy. The Difficulty of obtaining Supplies and the Embarrassments of the publick for Want of Money are generally known and considered; but should it notwithstanding be discovered by the Army that any of the States had in possession a Quantity of Linen suitable for Shirts, and that no Efforts were made to obtain it for the publick, it will probably excite great Uneasiness, and may be attended with very pernicious Effects, especially when the Men find themselves exceedingly distressed for Want of a Single Shirt. This you will represent to those who are competent to have the Business put in a Train of Negotiation, if they should judge proper; and you will inform me of the Result.

I must again urge that the Remainder of the Hunting Shirts should be sent on without Delay, if possible, or the Season proper for wearing them will have elapsed. I am etc.[71]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, August 3, 1782.

Dear Sir: By the Contents of Sir Guy Carletons Letter which came inclosed in yours of this Day, I find it is unnecessary for you to proceed to Phillips's House. As Sir Guy being disappointed in not obtaing Passports for M Chief Justice Smyth[72] to come out, he will not, he says, trouble an Officer of your Rank

[71] From a photostat of the original kindly furnished by George A. Ball, of Muncie, Ind.

[72] Frederick Smyth, royal chief justice of New York.

to be the Bearer of a Bundle of papers only; but adds that they shall be sent out in the ordinary course of Conve[yance. Your] Letter to Colo. Trumbull, covering the new adopted System of Issues &c. is received. With much Regard etc.[73] [MS. H. S.]

To COMTE DE ROCHAMBEAU

Head Quarters, August 3, 1782.

Sir: Agreeable to my promise I now inclose to your Excellency the Route by Coriell's Ferry; the particular Stages and Distances I have noted, from which you will form your own Estimation for each Days march.

I was Yesterday favored with a Philadelphia paper of the 30th. of July, wch mentions the Arrival of 13 Ships of the Line 2 frigates and a Cat under Comd of Monr Vaudreuil at the Capes of Virginia; also the Arrival at Surrinam of 16 Dutch Ships of the Line; and their success on their passage against the English; how much Reliance may be placed on this Intelligence, I am in doubt. With very great Regard etc.[74]

GENERAL ORDERS

Head Quarters, Newburgh, Saturday, August 3, 1782.

Parole Williamsburgh. Countersigns York, Glouster.

While the Annals of the Army shall exist, it is the Generals intention it shall be known that he had great reasons to be satisfied at this period of the war with the troops under his command. The inspection rolls for the last month which are now before him, corroberate the favourable sentiments which he had already imbrac'd of the officers and men who composed

[73] In the writing of Jonathan Trumbull, jr.

[74] The draft is in the writing of Jonathan Trumbull, jr.

this army; and afford fresh occasion for bestowing well meritted applause. The Inspector reports that the proficiency in appearance and decipline continues to be surprizingly rapid; that the spiritt of emulation, bordering on enthusiasm, which prevails so remarkably throughout the army has almost removed all preference and distinction of corps, and superseeds (at this time) the necessity of discrimination. The troops are more collectd., and there appears to be fewer irregularities of any kind at this moment than at any former period. Happy to find that those regiments which have been noticed as being in excellent order instead of relaxing their exertions continue to improve, and that those which were formerly reported to be in not so good a state, have by uncommon efforts carried their improvements beyond all calculation; the General wishes to convince the troops of his entire approbation and that nothing can tend more to their reputation and the service of their country than the present good dispotion which is so conspicuous throughout the whole Army.

Docter Cochran, directer of the hospital, or Doctr. Craik, physician to the army, with two hospital surgeons, will constitute a board to convene at such time and place as shall be agreed between them and the Inspector of the Army; for the purpose of inspecting all the invalids and debilitated men now in service. They will divide the subjects of their inspection into three classes and report their opinion on each individual accordingly, whether he ought to be discharged without any compensation or suffered to retire on the late provision of congress, or be transferred to, or continued in the corps of invalids, as the time of his service, the occasion and nature of his inability and other circumstances shall dictate. This business to be compleated in the course of the present month, and the report to be given in with the next inspection returns.

Regimental surgeons are to attend the board with the men of their regiments, and commanding officers of corps are requested to give any information they may judge proper.

The Army will be inspected and Mustered for the month of July upon the following days: the Artillery regiment, Moodies[75] company and Detachment, Sappers and Miners, and Artificers on the 5th. instant; the 1st. 2d. 3d. and 4th. Connecticut regiments the 6th; the 3d. Massachusetts brigade and 10th. regimt. the 7th; the 1st. Massachusetts brigade the 12th. and the 2d. Massachusetts brigade the 14th.

The Gentlemen who fill up the Inspection returns are requested to pay more particular attention to the instructions given them for that purpose in April last.

As some of the regiments will shortly after inspection go upon duty, the time for Manœvering will be appointed in a subsequent order.

To BRIGADIER GENERAL ELIAS DAYTON

Head Quarters, August 4, 1782.

Sir: Before the departure of his Excellency the Commandr in Chief for Philadelphia, he wrote a Letter to you, dated the 11 of July, of which he has recd no acknowledgement, and therefore suspects it may have miscarried. The purport of it was to relieve Capt Dayton, to stop all Correspondence with Ward McMichael and every other Person within the Enemy Lines, and to hold the Brigade in readiness for movement. These things he desires may be immediately done, if they have not already been attended to, and that you will inform him whether the beforementioned Order has been recd or not. I have the honor.[76]

[75] Capt. Andrew Moodie, of the Second Continental Artillery. He served to June, 1783.

[76] The draft is in the writing of and the letter sent is signed by David Humphreys.

To COLONEL HUGH HUGHES

Head Quarters, August 4, 1782.

Sir: I have to request that you will Report to the Commander in Chief in writing without loss of time, the general state of the Department at this moment, so far as relates to this Army with regard to Camp Equipage, Quarter Mastrs Stores &c. Noting as far as may be, the quantities and species in possession of the Troops, the deficiency of every Article according to the stated allowance, and the Stock now on hand. You will also mention by what time you can have the Means of transportation, either by *land* or *water,* ready for carrying the whole Baggage of the Army &c into the field, supposing the Encampment to be in the neighbourhood of Peekskill. You will be accurate in your calculation of the number of Teams, Waggons &c necessary; and the number that can be furnished compleat by the given time you shall fix upon.

The same information you will also please to give respecting Boats, in case conveyance by Water should be preferred. I am &c.[77]

*To LIEUTENANT WILLIAM COLFAX

Head Quarters, August 4, 1782.

Sir: I want an acct. of all expenditures, from the time we arrived at this place, till the first day of this Month. Also of every thing drawn from the Contractors during that period.

I likewise desire, to have an acct. of every thing else which may have been had from other Quarters, if any there be; As well Provision, Liquors, and Stores, as necessaries from the Quarter Master; these as before, from our arrival at this place till the first Instt.

[77] The draft is in the writing of and is signed "D Humphrys Aid de Camp."

After this it is my wish to have regular accts. of a like nature, the first day of every month; of the expenditures, and draughts of the preceeding Month. I am etc.

*To COMTE DE ROCHAMBEAU

Newburgh, August 4, 1782.

My dear Genl.: I ask you ten thousand pardons for breaking the Seal of the Inclosed Letter, to your Address. It was put into my hands with other dispatches, and was opened before I discovered the mistake. It happened too, in the moment I was expecting Letters from Sir Guy Carleton. I have the honor etc.

PS The Enemy were about making a detachmt. from New York, consisting of three Regiments, *said* to be for Charles Town; but whether the French Fleet now on this Coast will divert them from it I am unable to inform you.[78]

GENERAL ORDERS

Head Quarters, Newburgh, Sunday, August 4, 1782.

Parole Hartford. Countersigns Danbury, Newhaven.

The Commander in chief is so anxiously concerned for the preservation of the health of the Troops (especially at this sultry season) and for the accommodation and recovery of the sick and wounded that he cannot forbear to entreat and enjoin it upon officers of every denomination to pay a paternal and affectionate regard to the men in these interesting points: Cleanliness, prudence in bathing, regularity and Oeconomy in the mode of cooking and manner of living are objects which require attention. Officers should every day visit the tents and kitchens, observe and regulate the Cookery, see the soldiers at their meals and take care that they mess and live properly together.

[78] From the original in the *Rochambeau Papers* in the Library of Congress.

When sickness cannot be prevented it becomes our duty to alleviate distresses and lull the breast of pain with all the little offices of humanity and kindness in our power. The convenience of hospital tents, which are intended for the accommodation of the sick in the field, and the supply of refreshments and small meats which will be furnished on the hospital contract, give a better oppertunity for exercising these benevolent acts of tenderness than ever we have had before.

In justice to the Medical department the general declares whenever he has lately inspected the Hospitals he has received from the patients themselves the most satisfactory accounts of the humane treatment and comfortable accommodations they have invariably experienced.

Colonel Greaton and Lieutenant Colo. Olney are annexed to the board ordered yesterday for the inspection of the invalids and debilitated men now in service.

The Rhode island regiment for fatigue tomorrow.

GENERAL ORDERS

Head Quarters, Newburgh, Monday, August 5, 1782.

Parole Albany. Countersigns Princetown, Brunswick.

The following alterations in the mode of issues having been agreed upon between the superintendant of Finance and the Contractors for supplying the moving army, are approved of by the Commander in chief and ordered to take place accordingly.

General Officers for themselves and families to draw provisions and stores on their own returns, or those of their Aids de Camp, and to draw any number they think proper not exceeding the number of rations allowed them; their accounts with

On August 4 David Cobb wrote to Col. Henry Jackson, granting permission, by Washington's direction, to William Blake to come out from New York with his baggage and servants. The draft of Cobb's letter is in the *Washington Papers*.

the Contractor to be closed at the end of each month and the paymasters to pay the ballance of subsistance money, if any due, on the certificate of the Commissary from whom they have received provisions for the preceeding month.

The officers of regiments to draw as many rations as they are entitled to, if they please, but to draw together, and on the usual days of issues, three pr. cent to be allowed in order to make the weight hold out: the same allowance to extend to soldiers and every person entitled to draw. Regiments and corps to be serv'd in as many draughts as there are Companies and the Contractors to have an allowance of two pr. cent as a compensation for the encrease of draughts.

The issuing commissary shall give to the regimental Quartermasters a return of the number of rations issued to the officers of each regimt. for the preceeding month and the Quartermaster shall be entitled to receive the ballance of the subsistance money due the officers of the paymaster and pay it to the officers entitled to it.

When in the course of service on Detachments officers cannot draw provisions with their regiments, the returns when they do draw shall specify their rank and the corps to which they respectively belong.

The Honorable the Congress have been pleased to pass the following resolves:

By the United States in Congress assembled July 24th. 1782.

Resolved, That the act of Congress of the 11 day of February, 1778, and all subsequent resolutions, so far as they respect the department of the commissary general of military stores, be and they are hereby repealed.

Resolved, That the Secretary of War be, and he is hereby, empowered to appoint, from time to time, a commissary of military stores, who shall be subject to his orders and instructions, and shall receive a salary of one thousand dollars per annum:

That the Secretary at War be further empowered to appoint, from time to time, so many officers, to be taken from the officers of the army, if agreable to them, as he may find necessary to superintend the business in that department.

The Light companies of the 1st. Connecticut, Rhode island and the 3d. 6th. and 10th Massachusetts regiments will march on Thursday the 8th. instant under the command of Major Ashley to relieve the infantry now on the lines.

The 1st. Connecticut regiment will march the same day to releive the 9th. Massachusetts regiment at Dobbs ferry, Stoney and Verplanks point.

For fatigue tomorrow at Westpoint &c. the 4th. Massachusetts regiment.

The Quartermasters of Brigades and Corps are immediately to make their returns for the present month to the Quartermaster generals office agreable to the directions and forms they have heretofore received from him. They will also turn in to the waggon Master general, all the public waggon horses in their respective corps except those for general officers.

To THE PRESIDENT OF CONGRESS

Head Quarters, August 5, 1782.

Sir: I have the Honor to transmit to your Excellency the Copy of a Letter which has just now been received from Sir Guy Carleton and Admiral Digby.[79] I do not Delay a Moment to convey it to the Eye of Congress; and beg that I may be furnished with their Directions for my Government.

The inclosed passport from the Hono Henry Laurens[80] accompanied the Letter from the British Commanders, in Consequence of which, Directions are given to the Commanding

[79] Dated August 2. The original is in the *Washington Papers.*

[80] Laurens's passport is filed with this letter from Washington in the *Papers of the Continental Congress.*

Officer at Dobbs Ferry to suffer the *Person* of Mr. Blake[81] to come out for the purpose of passing to Philadelphia, where Congress will have an Opportunity to judge of the propriety of granting him the further Indulgences Mr. Blake wishes. With very great Regard etc.

PS. a few Days ago I received Intelligence from N York, that a considerable Detachment of Troops was makg; said to be for Charlestown; whether for a Reinforcement to that Garrison, or as a Relief to the Troops already there was not known.[82]

To THE SECRETARY AT WAR

Head Quarters, August 5, 1782.

Sir: I have the honor to inclose you a Letter from Colo. Olney[83] with some other Papers relating to a soldier[84] of the Rhode Island Regiment who has been in confinement in the state of Maryland since last Winter.

As it will be extremely unjust and cruel that the Soldier should be any longer confined or should be sold to pay the Charges of his Prosecution I request you to take the matter up as soon as possible and procure his release. I have the honor &c.[85]

To THE SUPERINTENDENT OF FINANCE

Head Quarters, August 5, 1782.

Sir: On my Return from Phila. I found many Complaints against Mr Sands for frequent want of provisions, as well as

[81] William Blake, of South Carolina.

[82] In the writing of Jonathan Trumbull, jr. The letter was read in Congress and referred to Arthur Lee, John Witherspoon, and John Rutledge.

[83] Col. Jeremiah Olney's letter of Aug. 4, 1782, is in the *Papers of the Continental Congress*, no. 149, 1, fol. 563.

[84] A Negro by the name of Fortune Stoddard, who had been convicted of manslaughter by the civil power, although the act was committed in the line of duty.

[85] In the writing of Benjamin Walker. The letter is in the *Papers of the Continental Congress*, no. 149, 1, fol. 561.

Badness of Quality in what he did furnish; both these Grievances have subsisted till the present Time and the Troops have been without their Rations for several Days at various Times. In Castg about for a Remedy, I find, none is provided in the Contracts, but what is to be applied by the Superintendant who is to be appointed by you. I have therefore to request most earnestly, that you will appoint this person without Delay, and that he may repair to the Army as soon as possible. Mr. Sands's Disposition is such, that I have not the least hope of Relief from him, so long as he can impose upon the Army and thereby serve his own Interest, with Impunity I am persuaded he will continue to do it. I am &c.[86]

To COLONEL HENRY JACKSON

Head Quarters, August 5, 1782.

Dr. Colo: The Commander in Chief directs that the American prisoners, who are now at your Post on Parole, should be allowed to pass to their respective homes; and in future 'till a D. Commy of Prisoners resides at the Post as was directed, all persons coming out under the same circumstances may be permitted to pass. This is to be considered as a standing Order and will be delivered to your relieving Officer. I am &c.[87]

To SIR GUY CARLETON AND REAR ADMIRAL ROBERT DIGBY

Head Quarters, August 5, 1782.

Gentlemen: I have to acknowledge the Honor of your joint Letter of the 2d. of Augst which was received last Evening.

[86] The draft is in the writing of Jonathan Trumbull, jr.
[87] The draft is in the writing of and is signed "David Cobb, Aide D Camp."

Not a Moments Time has been lost in conveying a Copy of it to Congress. As soon as I am furnished with their Instructions, I shall do myself the honor to transmit their Sentiments to you as Early as possible. I have the Honor etc.[88]

*To CAPTAIN GEORGE JAMES LUDLOW

Head Quarters, August 5, 1782.

Sir: Perswaded that your desire to visit Captn. Asgill at Chatham, is founded in motives of friendship and humanity only I enclose you a Passport for the gratification of it.

The inclosed Letters for that Gentleman, came to me from New York, in the condition you will receive them. You will have an oppertunity of presenting them with yourself. Your own Letter came under cover to me via Ostend. I have the honor etc.[89]

To THE SECRETARY AT WAR

Head Quarters, August 6, 1782.

Dear Sir: Colonel Armand in a Letter of the 3d June last inform'd me that his Cavalry is compleat to within five Men of his established number; but that Sixty Horses are still wanting. I imagine there is very little probability that our means will admit of furnishing him any more Horses, and as his Corps may be of essential service in the So. Army, I will be obliged to you to transmit him Orders to March and put himself Under the command of General Greene. I thought it proper to transmit this order thro' you, as you will be able at the same time to point him to the means of moving his Corps to the Southard.

[88] The draft is in the writing of Jonathan Trumbull, jr.

[89] The draft of a passport for Captain Ludlow, in the writing of Washington, accompanied the letter and is in the *Washington Papers*.

Considering the circumstances under which this Gentleman procured the Equipment of his Corps, I have no doubt he will complain heavily at its not being compleated with Horses; indeed nothing ought to have prevented it but the absolute defficiency of means and I think it is due to his Exertions to Explain this matter to him as fully as possible.

Some intelligence from New York speaks of an Embarkation of Cavalry from that place destined for Charles Town. Should this be true, no time should be lost in putting the Legion in motion.

I take the liberty to inclose you Copies of two Letters from Colo. Willet. I entirely coincide in Opinion with that Gentleman with respect to the Indians; nor is it inconsistent with our strictest plans of Oeconomy, for it will be much less Expence to gain and to keep the friendship of these People than to oppose them in the field.

With respect to the Levies raised in this State for three Years, the resolve of Congress under which they were raised will shew how far they were promised Pay Cloathing &c by the Public; the time for which they are Engaged and the nature of their Services render them almost equally Valuable with the Continental Troops, for tho' they are not to go out of the State, they may be ordered to any part of it, and in case of a movement of the Army will supply the place of the same number of regular Troops who must otherwise be left. Their Continental Regiments tho not quite Compleat are on a more respectable footing than those of any other State. On these Accounts I am fully of Opinion that all possible attention should be paid to their Wants; a return of which I have now the honor to inclose.

I should be glad to know the determination respecting Hazens Regt whether it is to be reformed as was in Agitation, or to remain on its present footing; if the latter, is it your

intention that it shall remain at Lancaster as a Guard for the Prisoners? or is it to be ordered on to the Army?[90]

To MAJOR GENERAL NATHANAEL GREENE

Head Quarters, Newburgh, August 6, 1782.

My dear Sir: In my last Letter of the 9th of July, in which I acknowledged your several favors of the 22d of April and 19th of May, I mentioned my expectation of soon meeting the Count de Rochambeau in Philadelphia, and my intention of writing you from that place in case any thing of Moment should turn up in the mean while. But as our hopes, that public Dispatches would have arrived from France before our Meeting, have been disappointed; I can only inform you that matters now rest in the same situation, as discribed in my former Letters; except with regard to the negotiations, which are said to be carrying on by the belligerent Powers in Europe.

Indeed I hardly know what to think or believe of the disposition of the Court of Britain. Certain it is the new Administration have made Overtures of Peace to the several Nations at War, apparently with a design to detach some one or another of them from the general combination; but not having succeeded in their efforts for a seperate Negotiation; how far the necessity of Affairs may carry them in their wishes for a general Pacification upon admissible terms, I cannot undertake to determine. From the former infatuation, duplicity and perverse system of british Policy; I confess I am induced, to doubt every thing; to suspect every thing. Otherwise I should suppose, from the subsequent Extract of a Letter from Sir Guy Carleton and Admiral Digby to me dated the 2nd inst; that the prospects of and negotiation for a general Peace would be very favorable.

[90] The draft is in the writing of Benjamin Walker.

We are acquainted, Sir, by authority, that Negotiations for a general Peace have already commenced at Paris, and that Mr. Grenville is invested with full Powers to treat with all Parties at War, and is now at Paris in the execution of his Commission. And we are likewise, Sir, further made acquainted, that his Majesty, in order to remove all obstacles to that Peace which he so ardently wishes to restore, has commanded his Ministers to direct Mr. Grenville, that the Independency of the Thirteen Provinces should be proposed by him, in the first instance, instead of making it a condition of a general Treaty; however not without the highest Confidence, that the Loyalists shall be restored to their Possessions, or a full Compensation made them for whatever Confiscations may have taken place.[91]

These communications they say had just arrived by a Packet. They further add that Mr Laurens was enlarged from all engagements, and that Transports were prepared for conveying all American Prisoners to this Country to be exchanged here. Whatever the real intention of the Enemy may be, I think the strictest attention and exertion which have ever been practiced on our part, instead of being diminished, ought to be encreased thereby. Jealousy and precaution, at least, can do no harm, too much confidence and supineness may be pernicious in the extream.

There having been a vague report that a small embarkation of Cavalry and Infantry was to take place at New York, to relieve part of the Garrison of Charles Town, I have made use of the occasion to desire the Secretary at War, to put Armands Legion immediately in motion to join you, and have requested he will use his endeavours to have the means afforded to facilitate and expedite the Movement.

A Mail has lately been intercepted by the Enemy between Philadelphia and Trenton, in which, I am informed there were Letters from you to me, these by the time of their capture

[91] The extract is from Carleton and Digby's letter of August 2.

were probably of the same date as your Dispatches to Congress, wherein the Correspondence between General Leslie[92] and yourself was enclosed. I mention these circumstances, that you may forward Duplicates in case you should judge it necessary.

You will, I imagine, have heard before this reaches you, of the arrival of M. Vaudreuil with a fleet of 13 Ships of the Line on this Coast; I can give you no particulars, as I have no Official account of his arrival.

The Army of the Count de Rochambeau having, as I advised you in my last, marched towards the Northward, at our Meeting in Philadelphia, it was concluded (upon a consideration of all circumstances) that this Corps should proceed to join the Army on the Hudson; they were at Baltimore by the last intelligence from that quarter.

Since the receipt of the Letter from the Commissioners Sir Guy Carleton and Admiral Digby; I have seen a New York Paper of the 3d. in which is a Speech of General Conway[93] and some other Articles, which appear to be designed to propose Independence to America on certain conditions not admissible: viz that the Legislature of America should be totally independant of the Parliament of Great Britain, but that the King of England should have the same kind of supremacy here as in Ireland. I have not information sufficient to determine whether this is the species of Independence alluded to in the Letter of the Commissioners or not. I wish my suspicions, however, may be ill founded.

Wishing you all the success and happiness you can desire yourself, I am etc.[94]

[92] Brig. Gen. Alexander Leslie, of the British Army, with the rank of major general in America.

[93] Maj. Gen. Henry Seymour Conway, commander in chief of the British Army.

[94] The draft is in the writing of David Humphreys.

To BRIGADIER GENERAL WILLIAM IRVINE

Head Quarters, August 6, 1782.

Sir: I have to acknowledge the Receipt of your two Letters of the 1st. and 11th. of July, the former containg. the plan of a proposed Expedition, of which you mention you are solicited to take the Command, and covering a Copy of your Letter to the Secretary at War on that proposition. I have not given you my Ideas on this Expedition, as the plan, if adopted, must probably have began its Execution, before my Letter would have reached you. If attempted, I have only to give you my good Wishes for its Success.[95]

I lament the failure of the former Expedition, and am particularly affected with the disastrous fate of Colo. Crawford: no other than the extremest Tortures which could be inflicted by Savages could, I think, have been expected, by those who were unhappy eno' to fall into their Hands; especially under the present Exasperation of their Minds for the treatment given their Moravian friends.[96] For this reason, no person should at this Time, suffer himself to fall alive into the Hands of the Indians. With great Regards etc.[97] [H.S.P.]

To COLONEL SETH WARNER

Head Quarters, August 6, 1782.

Sir: Your Letter of the 16th June last reached me but a few Days ago, containing Intelligence from Canada similar to what I have received from that Quarter, thro various other Channels. As I am desirous to obtain every Information of the Motions

[95] A second expedition against the Sandusky Indian towns.

[96] The cold-blooded and inexcusable massacre of nearly 100 Moravian Indians in March, 1782.

[97] In the writing of Jonathan Trumbull, jr.

and probable Designs of the Enemy that can be collected; I am obliged to you for your Attention in this Respect.

I am very sorry for the Situation of the prisoners who have been carried into Canada; some Circumstances which took place last Spring respectg a general Exchange, in which my Wishes were much disappointed, prevent at present my being able to give them any Relief. I hope however that the Time is not far distant when their Exchange may be effected on proper principles. Wishing you a Restoration of Health and Usefulness, I am etc.[98]

To COLONEL WALTER STEWART

Head Quarters, August 6, 1782.

Dear Sir: I have received your two favors of Yesterday respecting your Brother, who you think, wishes to become an Inhabitants of the United States.[99]

I know you are sensible of the Delicacy of Situation in which I am placed, and you are equally sensible of the impropriety of the Channel through which your Brother, has presented himself for Admittance as an Inhabitant. At the same time I trust you are persuaded of the Disposition I have to oblige you in every Thing that I can consistent with my Duty and you cannot be insensible that it is necessary for me to observe some general Rules in Cases of this Nature.

I have therefore to desire, that you will, previous to his comg out, either do it yourself, or take means to obtain from your Brother, the particular Views and Intentions with which he

[98] The draft is in the writing of Jonathan Trumbull, jr.

[99] On August 9 Trumbull, by Washington's direction, wrote to the commanding officer at Dobbs Ferry, that Colonel Stewart's brother was to be permitted to come on shore with his servants, etc., "and to proceed into the Country, or attend his Brother." Trumbull's draft is in the *Washington Papers*.

comes to this Country, with the Reasons of his comg thro' the Channel of N York, as also the Mode by which, he obtains permission from the Enemy to pass among us. Upon information of which, if satisfactory, no Difficulty will be opposed to his comg out.

Tho I have no particular Reasons to suspect your Brother of any evil Intentions, yet 'tis necessary on all Occasions to be guarded against the least Apprehension of Imposition.

If he does come out, his becoming a Resident does not depend on me; his Mode, I suppose, will be to apply to the Executive Power of the State where he means to reside. I am &c.[1]

To LIEUTENANT COLONEL MARINUS WILLETT

Head Quarters, August 6, 1782.

Sir: I have received your two Letters of the 9th. and 21st. of July, the first of which reached me but last Evening by the Hand of Mr. Ten Eyck.[2]

On the Subject of the Indians, I am at a loss what to reply to you; the matter has been often under the Deliberation of Congress, at times much more favorable for conciliating the affections of that people, but, either the Means of carrying the Measure you mention into execution, have not been in their power, or the Measure itself has not been tho't proper to be adopted. At the present time, I am persuaded, that the finances of the united States are not competent to the Object, in the Extent in which you view it. In the mean time it may be well to make the best we can of the favorable disposition of the tribe[3] now under our immediate protection; but it is not in my power

[1] The draft is in the writing of Jonathan Trumbull, jr.
[2] Lieut. Abraham Ten Eyck, of Willet's New York State regiment.
[3] Delawares(?).

to give you the Means; the Subject shall be mentioned to the Secretary at War; to whom your Ideas shall be communicated, with my Approbation of your Sentiments.

Not considering it to be within my province to give Directions for the Issue of cloathing to your three Years state Troops, I will transmit your Letter and Return to the Secretary at War, under whose Directions all Issues of Cloathing are to be made, and desire him to give Instructions respecting that Subject. With much Regard etc.[4] [H.S.P.]

To LIEUTENANT COLONEL GEORGE REID

Head Quarters, August 6, 1782.

Sir: I have received your Letter of the 3rd. Comparing the Resolution of Congress of the 18th. of Octo 1781. with that of the 10th. of Augst. 1776. to which it refers, it would seem that the Canadian Refugees as well as Volunteers, are included in that Resolution Under which the Commissaries have stopped issuing Rations to them. Genl Schuyler however is best able to give you information in this point, as the provision for those people has been committed to his Direction. Hard as it may appear, that those poor Refugees, who have been driven from their Country for their Adherence to our Cause, should be denied the pittance of provisions for their Subsistence, yet it is not in my power to contravene direct Resolutions of Congress.

If the Militia should be called into Service (of which I know nothing at present) they must probably be supplied with provisions by the Contractors, so long as in actual Service, unless the State should provide for them, which I have no Expectation will be the Case.

[4] In the writing of Jonathan Trumbull, jr.

Genl. Stark has had no Orders from me to take Command at the Northward, nor have I any Intimations from him of his Intentions.[5]

To MAJOR DE GENTON DE VILLEFRANCHE

Head Quarters, August 6, 1782.

Sir: I was informed by Genl. Paterson, that the place assigned by Majr. Genl. Knox and others for erecting the Magazine, was in your opinion, very unfit for the purpose; if this is the case, I wish you to point out some other place on West Point; and give your reasons in writing, as soon as possible, why you prefer it to the place first mentioned. I am etc.[6]

GENERAL ORDERS

Head Quarters, Newburgh, Tuesday, August 6, 1782.

Parole Westpoint. Countersigns New Windsor, Fishkill.

Lieutenant Boss[7] of the corps of Invalids tried by the general courtmartial of which Colonel Putnam is president; "for behaving disrespectfully to Colonel Nicola and on many occasions unbecoming a gentleman and for disposing of public flour for his private use" is acquitted and released from arrest.

A return of the number of men now serving in the different State regiments who are engaged for this Campaign only, to be given in at the Orderly office without delay.

The General Courtmartial of which Colonel Putnam is president will meet at Westpoint tomorrow morning 9 oclock for the trial of such prisoners as may be brought before them.

[5] The draft is in the writing of Jonathan Trumbull, jr.

[6] The draft is in the writing of David Cobb.

[7] Lieut. George Boss, formerly of the Fourth Pennsylvania Regiment. He was discharged in September, 1782.

The Commander in chief desires that the soldiers confined in the provost guard who have not yet had their trials may be brought before a Courtmartial with as much expedition as the nature of their cases will admit.

The Honorable the Congress have been pleased to pass the following resolves.

By the United States in Congress assembled July 23d, 1782.

Resolved, That in conducting the business of the general hospital, there shall be an invariable standard of prices established, by which the apothecary shall be charged with every article he shall issue the standard to be established by the medical board, or such person or persons as they shall appoint, which shall only be considered as a certain ratio whereby to keep the accounts; but that, in the settlement of all accounts in that department, all deficient articles, not issued or returned, shall be accounted for at such real value as shall be estimated by the medical board, and approved of by the Secretary at War.

An account shall be taken as soon as possible, of all the medicines, instruments and property in the apothecary's department belonging to the public, in the hands of the apothecary, the deputies, assistants, and mates, the surgeon of hospitals and surgeons of regiments, for which they shall severally be charged at the standard value as ascertained by the board as aforesaid, and for all they may hereafter receive, but to account for deficiencies at the real value, to be estimated as aforesaid.

The apothecary shall be accountable for all articles in his department to the purveyor throughout the states, until they come into the hands of the prescribers; and all deputies, assistants, and mates, shall make returns, and be accountable to the apothecary for the medicines, instruments, and other property belonging to the public in the department, now in their hands, and of such as they may hereafter be possessed of.

The apothecary shall make up his accounts at the expiration of every year, and settle them as soon after as possible, and before the expiration of six months. He shall, at the same time, make out two returns for the directors of the hospital, one specifying what has been receiv'd and issued, and the amount of what remains on hand; the other exhibiting a particular amount of the value of the medicines, and other public property, each prescriber has received within the year.

All losses which may happen by the events of war, and other circumstances unavoidable, shall be borne by the public. In cases of losses by fraud or neglect in any deputy, assistant or mate, the apothecary shall not be accountable for such losses, provided the delinquent be convicted thereof before a court-martial appointed to try the same.

The hospital prescribers shall be supplied, upon their own application, with medicines, and instruments necessary for the sick and wounded under their care.

Every regimental surgeon shall receive yearly from the apothecary a supply of medicines to such amount, by the above standard, as the medical board shall judge necessary.

Every prescribing surgeon or physician, either in hospital or with the army, shall be supplied by the apothecary with such a set of capital instruments as the medical board shall judge necessary, and shall be accountable for all losses in the medicines and instruments not arising from the events of war and other circumstances unavoidable. Duplicates of all returns made by the apothecary to the director, shall be lodged in the war office.

Resolved, That in the army of the United States, excepting the southern army, at present under the command of Major General Greene, the offices of assistant purveyor, and assistant apothecary, and the stores keepers under the purveyor and apothecary (except one storekeeper under the purveyor to keep a store near the army, and all clerks, except two to the purveyor, shall be hereafter discontinued.

That all surgeons of the hospital shall take rank after the director of the hospital, deputy director and physician to the army, in the following order, viz. those surgeons of the hospital, who have been either deputy director, physician general, surgeon general, chief physician or chief surgeon to the hospital or army, shall take rank next to the above mentioned officers: and their relative rank to each other shall be accordingly to the date of their respective appointments to either of the above offices.

That all such as were regimental surgeons, when appointed senior physician or surgeon to the hospital, shall take rank with such senior physicians and surgeons, agreeable to the date of their first appointment, whether to the regiment or hospital.

All surgeons, the date of whose first appointments, either to regiments or hospital, shall have been on the same day shall decide their rank by lot.

That for the more convenient subsistance of the officers of the hospital department, they be allowed, including their former allowance of rations and forage, as follows:

The director of the hospital, four rations a day for himself and servants, forage for two horses and twenty-five dollars per month subsistance.

The deputy director and physician, each three rations a day for himself and servants, forage for two horses, and twenty dollars per month subsistance.

Hospital surgeons, each two rations per day, for himself and servant, forage for two horses, and fifteen dollars per month subsistance.

Deputy purveyor and deputy apothecary, each one ration per day and forage for one horse, and ten dollars per month subsistance.

Hospital mates, each one ration per day, and five dollars per month subsistence.

Stewards, each one ration per day, and five dollars per month subsistence.

Ward masters, each one ration per day, and three dollars per month subsistence.

That the above allowance of rations, forage, and subsistance to the officers of the hospital department, over and above what they severally were entitled to, at the time of passing this act, shall be charged to them respectively, as advances in part of their monthly pay.

That in future the pay and allowance of the purveyor and apothecary be the same each as that of a hospital surgeon.

That none of the aforesaid officers, or other persons employed in any of the hospitals, be entitled to rations, forage or subsistence, when on furlough.

That the regulation respecting officers' servants, contained in the Act of Congress of 11th day of March, 1780, shall not be construed to extend to the hospital department.

For fatigue tomorrow the 2d. Massachusetts regiment.

On August 6 Washington wrote to Lieut. Col. Felix Antoine Wuibert, ordering him to Fort Pitt. This draft is in the *Washington Papers*.

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, August 7, 1782.

Dear Sir: Your favor of yesterday has been duly received. I think it proper that the trial of Major Heith should commence as soon as possible. The affair of the Cartridge Boxes, together with the appointment of a Conductor to the 3d. Masstts. Brigade, have been referred to Genl Knox.

If Capt. Dorence[8] is unfit for the Duty of the Field, it would be best for him to relieve Capt. Benton[9] at the Hospitals, as I know of no stationary Command he can be appointed to; however, if it is very disagreeable to Capt. Dorence, I wish you to conduct as you think best. I am &c.[10] [MS. H. S.]

To COLONEL HEMAN SWIFT

Head Quarters, Newburgh, August 7, 1782.

Sir: In reply to your favor of Yesterday, I have to inform you; I am directed by the Commander in Chief to write to Colonel Hughes D. Q. M, that ways and means may be devised by him if possible for payment of the expense of Forage furnished your Waggon Horses the last Winter; and in case he is not able to pay the Money, that he should adjust the account and cause the payment to be secured in the most speedy and effectual manner in his power. This is all the Genl can do on the subject. I have the honor etc.[11]

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[8] Capt. David Dorrance (Dorence), of the Fifth Connecticut Regiment. He was transferred to the Third Connecticut Regiment in January, 1783, and served to June, 1783.

[9] Capt. Selah Benton, of the Fifth Connecticut Regiment. He was transferred to the First Connecticut Regiment in January, 1783, and served to June, 1783.

[10] In the writing of David Cobb.

[11] The draft is in the writing of and is signed "D Humphreys A D C."

To COLONEL ELISHA SHELDON

Head Quarters, Newburgh, August 7, 1782.

Sir: I have just been favoured with your Letter of the 5th instant; and am happy to find your Regiment in so compact a State and so well prepared for the Duties of the Field. As your present Situation admits of great Attention being paid to the Discipline of the Corps, I have no Doubt but they will emulate the astonishing proficiency made by the rest of the Army.

I must recommend great Caution to you to prevent such Intercourse with the disaffected Inhabitants as may have a Tendency to poison the Minds of the Troops with their baneful principles.

Your pay master can obtain a Supply of Shoes and proportion of Blankets, by making Application to the Clothier at this post. In these Articles however there must be the greatest Economy.

I approve of your apprehending Smith.[12] He should be reported to the Comy. of prisoners, and continued in Confinement until his Directions shall be received respecting him. I am &c.[13]

To LIEUTENANT COLONEL THOMAS GROSVENOR

Head Quarters, Newburgh, August 7, 1782.

Sir: I have received and laid your Letter before the Commander in Chief, who is very desirous a field Officer, or Officer of singular experience and vigilance should command at Dobbs' Ferry, for which reason he would have had you relieved

[12] Thomas Smith. He was captain of a whaleboat from Lloyds Neck.
[13] The draft is in the writing of Hodijah Baylies.

from the Court Martial, had he not been informed the Court were in the midst of the tryal of Doctr Ledyard, on which account he thinks it improper; but wishes that you would use your endeavour that an Officer of due consideration may be entrusted with the advanced Post. I have the honor etc.[14]

To COLONEL HUGH HUGHES

Head Quarters, Newburgh, August 7, 1782.

Sir: I inclose you a Letter from Col Swift respecting the expence incurred by keeping his Waggon Horses through the Winter; on the subject of which I am commanded by His Excellency to inform you it is his pleasure; that ways and means may be devised, if possible for the payment of this expence before the Horses, are returned in; but in case you are not able to pay the Money, that you adjust the account and cause the payment to be secured in the most speedy and effectual manner in your power. I am etc.[15]

*To GOUVERNEUR MORRIS

Head Qrs. Newburgh, August 7, 1782.

Dear Sir: I asserted pretty roundly to you, but not more confidently than it was asserted to me, that General Dalrymple had Sailed for England.

Since my return to this place I have seen a letter from him to Genl. Knox which, at the same time that it contradicts both assertions, announces his speedy departure for the Albion shore. If he should remain in New York after this, charge it to his acct., not mine, and give me credit for the ingenuity of my recantation.

[14] The draft is in the writing of and is signed "D Humphrys Aid de Camp."
[15] The draft is in the writing of and is signed "D. Humphrys."

Present me respectfully to Mrs. Morris and Kitty Livingston, to Mr. Morris[16] also. It is unnecessary to assure you, how much I am etc.

*To COMTE DE CUSTINE-SARRECK

Head Qrs. Newburgh, August 7, 1782.

Sir: Mrs. Washington, in a letter which I have just receivd from her, expresses her sensibility at your polite attention in calling upon her at Mount Vernon. She informs me also of the obligation you have laid me under, in a present of elegant China,[17] which, as the product of your own Estate, I shall consider as of inestimable value knowing, as I do, the favourable Sentiments which accompanied it.

I have the honr. etc.

*To JOHN PRICE POSEY

Head Qrs. Newburgh, August 7, 1782.

Sir: With a mixture of surprize, concern, and even horror; have I heard of your treatment of the deceased Mr. Custis; in the abuse, and misapplication of the Estate which he had committed, with much confidence I am sure, and I believe personal regard, to your management.

If what I have heard, or the half of it be true, you must not only be lost to the feelings of virtue, honor and common honesty; but you must have suffered an unwarrantable thirst of gain to lead you into errors which are so pregnant with folly and indiscretion, as to render you a mark for every mans arrow to level at. Can you suppose Sir, that a Manager, can dissipate his Employers Estate with impunity? That there are not

[16] Lewis Morris (1726–1798).

[17] A cup and saucer of this china set is now at Mount Vernon.

Laws in every free Country by which justice is to be obtained? or, that the Heirs of Mr. Custis will not find friends who will pursue you to the end of the Earth in order to come at it? If you do, you are proceeding upon exceedingly mistaken principles. but, for a moment only let us suppose that you have taken the advantage of an unsuspecting friend; for such I am sure Mr. Custis was *to you.* and, that you have acted so covertly, as to elude the Law; do you believe that in the hours of cool reflection, in the moment perhaps, when you shall find that ill-gotten pelf can no longer avail you; that your conscience will not smite you severely for such complicated inequity as arises not only from acts of injustice, but the horrors of ingratitude; in abusing the confidence of a man who supposed you incapable of deceiving him, and who was willing, and I believe did, in a great degree, commit his whole property to your care?

But this by the by, I do not mean to put this matter upon the footing of Conscience. Conscience, must have been kicked out of doors before you could have proceeded to the length of selling another Mans Negros for your own emolument and this too after having applyed the greatest part, or the whole of the profits of his Estate to your own benefit. Conscience again seldom comes to a Mans aid while he is in the zenith of health, and revelling in pomp and luxury upon ill gotten spoils; it is generally the *last* act of his life and comes too late to be of much service to others here, or to himself hereafter. But Sir, the footing I expect to see you put this matter upon, is, to settle without delay, such Accts. with the Administrator of Mr. Custis's Estate, whose duty it is to have it done, as you can support by authentic vouchers. That you will show by what authority you have sold any of his Negros, and to what purposes the money has been applied. and lastly, what Crops you have made, what Stocks you have raisd and how they have

been disposed of. A settlement of this kind, altho' it should appear by it, that you have applied the greatest part, or even the whole of the money arising fm. the sales of them to your own purposes, will be the next best thing to never having committed the wrong.

How far Mr. Dandridge, as an Administrator, may chuse to push matters, I cannot undertake (never having heard from him on the subject) to say. but this you may *rely on*, that this affair shall be most critically investigated, and probed to the bottom; let the trouble and cost of doing it be what it may; as a Man therefore who wishes for your own sake as well as that of an injurd family to see you act properly, I advise, and warn you of the consequences of a contrary conduct, being Sir Yr. etc.

GENERAL ORDERS

Head Quarters, Newburgh,
Wednesday, August 7, 1782.

Parole Winchester. Countersigns York, Lancaster.

Honorary Badges of distinction are to be conferred on the veteran Non commissioned officers and soldiers of the army who have served more than three years with bravery, fidelity and good conduct; for this purpose a narrow piece of white cloath of an angular form is to be fixed to the left arm on the uniform Coat. Non commissioned officers and soldiers who have served with equal reputation more than six years are to be distinguished by two pieces of cloth set in parellel to each other in a simular form; should any who are not entitled to these honors have the insolence to assume the badges of them they shall be severely punished. On the other hand it is expected those gallant men who are thus designated will on all occasions be treated with particular confidence and consideration.

The General ever desirous to cherish virtuous ambition in his soldiers, as well as to foster and encourage every species of Military merit, directs that whenever any singularly meritorious action is performed, the author of it shall be permitted to wear on his facings over the left breast, the figure of a heart in purple cloth, or silk, edged with narrow lace or binding.[18] Not only instances of unusual gallantry, but also of extraordinary fidelity and essential service in any way shall meet with a due reward. Before this favour can be conferred on any man, the particular fact, or facts, on which it is to be grounded must be set forth to the Commander in chief accompanied with certificates from the Commanding officers of the regiment and brigade to which the Candadate for reward belonged, or other incontestable proofs, and upon granting it, the name and regiment of the person with the action so certified are to be enrolled in the book of merit[19] which will be kept at the orderly office. Men who have merited this last distinction to be suffered to pass all guards and sentinals which officers are permitted to do.

The road to glory in a patriot army and a free country is thus open to all. This order is also to have retrospect to the earliest stages of the war, and to be considered as a permanent one.

A surgeon from the 2d. Connecticutt and a mate from the 3d. Massachusetts Brigades to march with Major Ashleys[20] command tomorrow.

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[18] This decoration, now known as "The Purple Heart," was revived by the President of the United States, Feb. 22, 1933, and thrown open to all who served in the Army of the United States. As established by Washington, "The Badge of Military Merit" was unique, in that it was obtainable only by privates and noncommissioned officers.

On August 7 Washington wrote to David C. Claypoole, requesting him to send a "sett" of The Pennsylvania Packet and General Advertiser to "Mrs. Washington, at Mount Vernon in Virginia." This draft is in the *Washington Papers*.

On this same date (August 7) Washington also wrote to Brig. Gen. John Glover that as he had retired "the servants, public Waggons &c. allowed you whilst in the Army will now no longer be necessary I have to desire you to order them on to the Army as soon as possible." This draft is in the *Washington Papers*.

[19] This "Book of Merit" is not now found in the *Washington Papers*.

[20] Maj. Moses Ashley.

The 6th. Massachusetts regiment will give the guards and fatigue parties on the east side of the river for seven days commencing tomorrow.

For fatigue tomorrow at West point &ca. the 10th. Massachusetts regiment.

A captain from the 10th. Massachusetts regiment will attend the court martial of which Colonel putnam is president, as a member tomorrow.

GENERAL ORDERS

Head Quarters, Newburgh, August 8, 1782.

Parole Providence. Countersigns Bristol, Greenwich.

The Inspector of Music will see that exact uniformity in the different beats prevail throughout the army. The signals of the drum as pointed out in the regulations are to be continually made use of and pointedly attended to; the Drum and fife majors of the several corps composing this army will every day assemble to receive the instructions of the inspector of music at such convenient time and place as he shall point out. This order to continue in force untill the inspector of music shall report them perfect in their duties.

To keep the horses and teams in perfect condition for service through the Campaign is an object of great consequence; as on this single circumstance not only the supplys and movements but even the success of any army may depend. The Waggon master general and all the Conductors must be answerable that the cattle[21] meet with good usage, that they are not worn down by excessive fatigue, if it can be avoided, that they are not driven

On August 7 Washington wrote briefly to the Secretary at War, forwarding Dr. John Cochran's letter of August 6, detailing the hospital wants. "You are too sensible of the Importance of having Hospitals supplied with every Necessary to need a single Argument of mine to recommend his Request to your Attention." This draft and Cochran's letter are in the *Washington Papers*.

[21] That is, the horses.

in the heat of the day, when the labour assigned can be performed early in the morning or at night; and that there is the gratest care bestowed in furnishing them with a plenty of good forage.

Major Cogswell, Waggon Master General will make a weekly representation to the Quartermaster general or acting Qr. Master with the army, who will report to Head Quarters, the number, condition, casualties, employment and station of all the teams of the army; and also a return of the waggoners and drivers under his direction.

For Fatigue tomorrow the 5th. Massachusetts regt.

To MAJOR GENERAL ARTHUR ST. CLAIR

Head Quarters, August 8, 1782.

D Sir: The Army under my Immediate Command is on the point of takg the field. Your Services will be necessary. You will therefore be pleased to repair to this Department as soon as possible where a Command will be allotted to you. I am &c.[22]

To MAJOR GENERAL WILLIAM HEATH

Head Quarters, August 8, 1782.

Sir: I have been favored with your Letter of this date. It is my opinion that Major Porter be bro't to a Court Martial immediately, as I have no idea of an Officer being absent, in the manner he has, without being made a public example of. Whatever shoes are wanted for the use of the men, over the number assigned them, may be drawn for and charged to their respective Accounts.

I am much obliged by your mentioning the state of the Roads between Robinson's Farm and Peeks Kill, and I wish you to

[22] The draft is in the writing of Jonathan Trumbull, jr.

order immediate repairs to them, as they will be used in the course of a few days.

The Serjeants you mention for the use of the Rendezvous at Springfield, may be detached, whenever you think necessary. I am &c.[23] [MS. H. S.]

To BRIGADIER GENERAL JAMES CLINTON

Head Quarters, August 8, 1782.

Sir: In your last Conversation with me on the Subject of Resigning your Commission as Brigr Genl. you concluded to take the Matter into further Consideration and to inform me of your Resolutions.

The Army is now on the point of takg the field; in which case it becomes necessary for me to form my Arrangements for the Several Commands; supposing therefore that you have had Time to bring your Mind to a Conclusion, I have to request that you will be pleased to communicate to me, as soon as possible, your final Determination; whether you mean to continue in Service or not.

For your satisfaction I have to inform you that Brigr Genl. McIntosh has declared his Intention to continue in Service; and B Genl Moultrie had not signified, a few Days ago, any Resolutions to resign. I am &c.[24]

GENERAL ORDERS

Head Quarters, Newburgh, Friday, August 9, 1782.

Parole Jersey. Countersigns Trenton, Princetown.

The acting Quartermaster with the army will have a sufficient number of Espontoons made to furnish each platoon officer who has never received one.

[23] In the writing of David Cobb.
[24] The draft is in the writing of Jonathan Trumbull, jr.

Commandants of corps will make returns of that deficiency immediately. The general expects those officers who have once been supplied will keep themselves equipp'd with that useful and ornamental Weapon.

For Fatigue at Westpoint tomorrow 7th Massachustts regiment.

The regiment which is on garrison duty, will in future furnish the orderly serjeants for the Courtmartial on West point.

To BRIGADIER GENERAL DAVID FORMAN

Head Quarters, Newburgh August, 10, 1782.

Dear Sir: The season being now come, when the frequent arrival of Ships and perhaps Squadrons may be expected on the American Coast, and it being highly necessary that I should be constantly and perfectly informed of the state of the Enemy's Naval force in these Seas, and particularly at New York; I must again request you will take upon yourself the management of this very interesting and important business. I am the rather induced to trouble you with this Commission, from the convenience and opportunities afforded by your situation for executing of it successfully, from the specimen you have formerly given of address intelligence and discretion in discharging the functions of it, and especially from the ardent desire I know you are possessed of to advance the interest of your Country essentially, in every possible way; and I take the liberty to add you can never do it more opportunely or effectually than at the present moment, in the way I have suggested.

Without farther apology, I will therefore entreat you to make me minutely acquainted with the number, names and rates of all the Armed Vessels now in the Harbour of New York, to keep me continually advised of these things; as well

as of the arrival or departure of all ships of War, or other fleets; together with any other information you shall be able to acquire, respecting embarkations, debarkations, convoys, transports, movements, and in short every thing that can be interesting in a military or naval point of view. At the same time be so good as to discriminate distinctly whatever intelligence is obtained by occular observation, from what is derived through hearsay or other channels, and note the degree of credit you think the latter may desire.

You will have the goodness to communicate by Express with the utmost celerity, every thing that comes under the foregoing description of intelligence, and whatever else you may judge proper. You will be pleased to keep exact accounts of the persons employed, the time for which they ought to be paid, the necessary expenditures of Money, and your other services, which debts shall be faithfully discharged; but as our Allies may be concerned in the payment, I beg leave to recommend perfect correctness in the Accounts, and œconomy in the expences, so far as may consist with the thorough execution of the important business in hand. I am etc.[25]

GENERAL ORDERS

Head Quarters, Newburgh, Saturday, August 10, 1782.

Parole Hudson. Countersigns Hackensack, Passaic.

Commanding officers of the several state lines which compose this army will cause descriptive Lists of all the men who have deserted from the regiments of their lines since the commencement of 1777 to be made out, so as to designate the deserters as accurately as can be done, at this time, noting particularly the places they belong'd to, towns they enlisted for and

[25] The draft is in the writing of David Humphreys.

the time they deserted; these lists are to be by them transmitted to the Governors of the states with such further particular information as may be necessary for recovering those men. The general will also use his influence with the Executives of those States that effectual measures may be taken for reclaiming the Deserters within their limitts. Duplicates of the descriptive lists must be lodged at the orderly office.

The attendence now given by the Adjutant general having superseded the necessity of a Deputy for this Army, leaves Captn. Haskell at liberty to attend solely to the duties of the Garrison of Westpoint as formerly.

To MAJOR BENJAMIN TALLMADGE

Head Quarters, Newburgh, August 10, 1782.

Sir: I find it very important, from a variety of considerations, to have the most definite and regular information of the state of the Enemy at New York, which can possibly be obtained; particularly with regard to the Naval Force which now is in that harbour, or shall be there in the course of the Summer or Autumn. As the communications which have formerly been made under your auspices, have been very much interrupted since I went to the southward last Campaign; I wish you without delay to open again, or at least to renew effectually, the channel of Intelligence through the C——s[26] or any other friends you can rely upon, in such a manner, as to keep me continually and precisely advised of every thing of consequence that passes within the Enemy's Lines.

I do not repeat what I have often said, of the *general and particular species* of Intelligence which alone can be interesting and necessary, because you are well acquainted with my ideas

[26] The Culpers, senior and junior.

on that subject; but I think it expedient to inform you explicitly that the great object, of which I desire to be perfectly ascertained at this period, is, "the number of Ships of War and armed Vessels now in the harbour of New York, together with the *Names, Rates* and *condition* of the Ships" &c. This will be useful for the moment; but it is essentially necessary also that this information should be kept up, without intermission, for which purpose every fluctuation in the state and number of the Fleet, every arrival and departure of Ships of War, Transports &c. should be exactly observed and reported; and I must request your Correspondents may be impressed with the necessity of acquiring their information from actual observation and the best possible sources of knowledge, instead of relying at all on vague reports and the misinformation of others. I know your correspondents have herefore, in general, been well informed; and that the only great difficulty has been in the circuitous route of communication; for which no other remedy can be applied but the greatest diligence and dispatch. Let that be attended to, let me hear from you soon and often on these points, and believe me to be, With great Regard etc.[27]

*To CHEVALIER DE CHASTELLUX

Head Qrs. Newburgh, August 10, 1782.

My dear Chevr: I love and thank you for the Sentiments contained in your letter of the 5th.[28] I look forward with pleasure, to the epocha which will place us as conveniently in one Camp, as we are congenial in our sentiments. I shall embrace you when it happens with the warmth of perfect friendship.

My time, during my Winters residence in Philadelphia, was unusually (for me) divided between parties of pleasure, and

[27] The draft is in the writing of David Humphreys.
[28] Not now found in the *Washington Papers*.

parties of business. The first, nearly of a sameness, at all times and places in this infant Country, is easily conceived; At best, is too unimportant for description. The Second, was only deversified by perplexities, and could afford no entertainment. convinced of these things myself and knowing that your intelligence with respect to foreign Affairs was better and more interesting than mine, I had no subject to address you upon; thus then do I account for my silence.

My time, since I joined the Army in this Quarter, has been occupied, principally, in providing for, disciplining, and preparing, under many embarrassments, the Troops for the Field. Cramped as we have been, and now are for the want of money, every thing moves slowly; but as this is no new case, I am not discouraged by it.

The enemy talk loudly, and very confidently of Peace; but whether they are in earnest, or whether it is to amuse and while away the time till they can prepare for a more vigorous prosecution of the War, time will evince; certain it is, the refugees at New York are violently convulsed by a Letter which, 'ere this, you will have seen published from Sir Guy Carleton and Adml. Digby to me, upon the subject of a general pacification and acknowledgment of the Independency of this Country.

Adieu my dear Chevr., a sincere esteem and regard bids me assure you, that with sentimts. of pure affection, I am etc.

*To JONATHAN WILLIAMS, JUNIOR[29]

Head Qrs., State of New York, August 10, 1782.

Sir: I have to acknowledge your favor of the 6th. of June, and to thank you for a very handsome pair of Epaulets, presented in your behalf, by Major Franks. I receive them Sir as a testimony of the favourable sentiments you have been

[29] Continental agent at Nantes, France.

pleased to express of me, and am particularly indebted to you for the polite manner in which they are offered. I have the honor etc.

*To WATSON[30] & CASSOUL

State of New York, August 10, 1782.

Gentn: The Masonick Ornaments which accompanied your Brotherly Address of the 23d. of the first Month, tho' elegant in themselves, were rendered more valuable by the flattering sentiments, and affectionate manner, in which they were offered.

If my endeavours to avert the evil, with which this Country was threatned, by a deliberate plan of Tyranny, should be crowned with the success that is wished; the praise is due to the *Grand Architect* of the Universe; who did not see fit to Suffer his Superstructures, and justice, to be subjected to the ambition of the princes of this World, or to the rod of oppression, in the hands of any power upon Earth.

For your affectionate Vows, permit me to be grateful; and offer mine for true Brothrs. in all parts of the World; and to assure you of the sincerity with which I am etc.

To MARQUIS DE VAUDREUIL

Head Quarters, August 10, 1782.

Sir: I have the Honor to address you, at the particular Request, and in Consequence of a Letter which I have just received from His Excellency the Count de Rochambeau, inclosing to me the Copy of a Correspondence between him and you relative to the Operations of the Fleet under your Command on the Coasts of N. America. Wherein you mention to him a

[30] Elkanah Watson.

Wish, that while your Fleet should remain in the Neighbourhood of Boston, you might be enabled to make a Stroke at the Enemy's post of Penobscot, and in the Discussion of which point the Count de Rochambeau has referred you to my Opinion upon that Enterprize.

While I applaud, Sir, the generous Disposition declared in your Intentions for our Assistance, Candor requires me to be very explicit upon the Subject. I am obliged therefore to say that it is my decided Opinion, that, considering the Hazards that will attend the Enterprise, the Object is by no Means equal to the Risque that will attend the Attempt.

Among many Reasons, which influence my Mind in forming this Opinion, The great and very principal one appears from your own Letter to Count de Rochambeau, where you mention to him that you expect immediately to be followed into these Seas by a superior British Fleet. Admitting this event to take place, and that your Fleet should have proceeded to Penobscot (which is near one hundred Leagues from Boston, the only secure Harbour which you will find upon all those Eastern Shores) which lies almost at the Bottom of a deep Bay, it appears to me that your Fleet will be placed in the greatest Hazard of being totally destroyed; for in that Situation they will be completely embayed and a brisk So. Westerly Wind, which will be most favorable for the British Fleet from New York and which would bring them into the Bay in a short Time, would be directly opposed to your Escape, so that was you to receive the earliest Intelligence of the Enemy's Fleet leaving New York, under such Circumstances, yet you could not avail yourself of the Information, and at the same Time would be placed in a position where no Harbour or Fortification could give you any protection or Shelter.

Was this Argument of Danger to His Most Christian Majesty's Ships not sufficient to govern your Mind, I could mention that the Time that must be employed on this Attempt, will probably be much greater than you seem to apprehend. A Month is as short as I should estimate, taking together all the necessary preparations and little cross Events that must probably interpose; for I have not an Idea of the Object being to be attained by a Coup de Main; as I am lately informed by good Intelligence that the Fort is the most regularly constructed and best finished of any in America, is well situated, and garrisoned by the 74th. Regiment, consisting of 800 Men, which will require a regular Siege, to be conducted by cautious Approaches, a considerable Addition of Men to the Number of Troops which are on Board your Fleet, with their necessary Cannon and Mortars, Stores &c. the whole of which in all probability, was the Siege to be undertaken, and your Fleet obliged to make a sudden Departure, must all be sacrificed, as their Retreat by Land (as has been heretofore experienced) would be almost totally impossible and impracticable, to be effected through a Country which is as yet a mere Wilderness of large Extent, and difficult passage.

Even supposing the best, that the Attempt should succeed and the Object be gained, I am much in Doubt, whether, without a superior naval Force, to be maintained on those Coasts we should be able to retain the post; as it would ever be subject to a renewed Attempt from the Enemy, in case we should keep up a Garrison there; or in Case of Evacuation, they might at any Time repossess the post, and continue the same Annoyance that they now give us.

Under these Considerations (without giving you any further Trouble) it is my decided Opinion that the Object in Contemplation is not of Importance, sufficient to justify the Hazards and

Risques, which must probably be encountered in the Attempt to obtain it.[31]

While I offer you this Opinion, Sir, I beg you will esteem it as coming from a Heart not only candid, but at the same Time penetrated with a Sense of the highest Gratitude to you for the noble Offer of your Assistance, which it is our Misfortune, that, under present Circumstances, we are not able to avail ourselves of.

After giving you the foregoing Opinion upon present Appearances, I have only to add that in Case Circumstances should turn up so differently to our present Ideas, that you should, with the Advice of General De Choissy, think the Attempt practicable, I can only refer you to the State of Massachusetts for such Aid in Men, Cannon, Mortars and Stores, as you shall judge necessary, it being the only practicable Mode in which I can co-operate with your Designs; and this Recommendation shall be most cheerfully given.

The Chevalier de la Luzerne has requested me to establish a regular Chain of Communication between my Head-Quarters and Boston, for the purpose of giving you the earliest Intelligence of every minute Circumstance that may occur respecting the Arrival or Operations of the British Fleet at New-York; and for the purpose of free Intercourse with you on any other Circumstances that may turn up. You may depend, Sir, that this Establishment shall be immediately formed; and that every Service I can possibly render you in this, or any other Way in my power, shall be most cheerfully afforded. With the purest Sentiments of Respect etc.[32]

[31] On July 30 Rochambeau had already written to De Vaudreuil, stating the impossibility of furnishing French troops to cooperate with him in an attempt on Penobscot. A copy of Rochambeau's letter is in the *Washington Papers*.

[32] The text is from the copy in the writing of Hodijah Baylies, which is initialed by Washington and is in the *Paris Archives, Aff. Etrang., Mems. et Docs., E. U.*, vol. 6.

To GOVERNOR JOHN HANCOCK

Head Quarters, August 10, 1782.

Sir: Your Excellency will permit me to introduce to Your particular Notice Majr Genl. De Choissey who will have the Honor to present this Letter to you.

As an Officer, old in Comd. and eminent for his Services, he has the Honor to be placed at the Head of the Troops destined for an Expedition proposed by the Marqs. De Vaudruiel against Penobscot, provided that Enterprise should be attempted.

Any Civilities which your Excellency shall be pleased to shew him will be no more than his Merits Demand, and will be most gratefully accepted by Your etc.[33]

To GOVERNOR JOHN HANCOCK

Head Quarters, August 10, 1782.

Sir: Your Excellency will be informed by B Genl Choisey, who does me the Honor to be the Bearer of this, that the Marquis De Vaudruiel with a fleet of his Most Christian Majesty's Ships of War, may be soon expected in the Harbour of Boston.

By a Correspondence which has passed between the Marquis and the Count De Rochambeau (a Copy of which I have been favored with by the latter) I am informed that the French Admiral has it in Contemplation to strike a Coup de Main upon the Post of Penobscot, while his Ships are to continue in your Neighbourhood, requestg the Opinion and Advice of the Count upon the practicability of the Enterprise. It appears also from the same Communication that the French General has given him a partial, yet pretty plain disapprobation, of the Attempt, and has referred him to my Opinion on the Subject, which the

[33]The draft is in the writing of Jonathan Trumbull, jr.

Count De Rochambeau in his Letter to me, particularly requests me to communicate to the Marquis on his Arrival.

However desirable the Object may be, to dispossess the Enemy from that troublesome post, yet, under present Circumstances and prospects, I have not judged the Attempt to be advisable, and have therefore given the French Admiral my Opinion decidedly against it. My particular Sentiments on the Subject will be conveyed to you in the Copy of my Letter to the Marquis, which I do myself the Honor to inclose to your Excellency for your own observation and that of the Executive of your State.

If, notwithstanding my Sentiments and present Appearances, other more favorable Circumstances should turn up, or prospects should so alter as to make the Attempt appear practicable in the Judgment of the French Admiral and Genl De Choisey, as also in the Opinion of your Executive, I have no Doubt but that your State will afford every Assistance in the most Expeditious Manner, in Men, Cannon, Mortars and Military Stores, that may be found necessary to carry the Operation into Effect. The Distance of the Army from Boston, with other Circumstances, will render it impossible to give any timely Aid from this Quarter. I am &c.[34]

To GOVERNOR WILLIAM GREENE

Head Quarters, August 10, 1782.

Sir: The Regiment raised by your State being principally composed of Men whose Times of Service will expire with the Campaign, you will probably very soon begin to think of some method of recruiting it. I am informed by Colo. Olney that many of these Men could now be engaged for three Years or

[34] The draft is in the writing of Jonathan Trumbull jr.

the War for a much smaller Bounty than they can be raised for in the State. Of this, it appears to me, there cannot be a Doubt, for long Experience has proved that Soldiers are more ready to inlist while in the Field than when at Home. And in this Way besides a very considerable Expence, we shall save the Time and Trouble of raising and training the Recruits, and prevent the Detriment that may be sustained by the Weakness of the Corps during that period. These Reasons induce me to second the Application of Colo. Olney, and earnestly wish it Success; and that Major Olney who goes to Rhode-Island for this purpose, may be enabled to carry it into Execution. I have the Honor etc.[35]

[35]The draft is in the writing of Hodijah Baylies.

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